

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-2443

David M. Pelton,

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Plaintiff-Appellant,

*

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v.

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Kansas City Board of Police

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Commissioners,

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Plaintiff-Appellee,

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Appeal from the United States

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District Court for the

Mark Colley, Kansas City Police

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Western District of Missouri.

Officer,

*

[UNPUBLISHED]

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Defendant,

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*

James F. Ralls, Jr., Commissioner; Jack

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W.R. Vice-President, Commissioner;

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Dona Boley, Commissioner; Dr. Daniels

*

Stacey, Commissioner; Mayor Emanuel

*

Cleaver, Commissioner,

*

*

Defendants-Appellees.

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Submitted: November 13, 1997

Filed: November 18, 1997

Before FAGG, BOWMAN, and MURPHY, Circuit Judges.

PER CURIAM.

David M. Pelton filed this 42 U.S.C. § 1983 complaint against the Kansas City Board of Police Commissioners and its members (collectively, “the Board”), as well as Kansas City Police Officer Mark Colley. The Board separately answered and later moved for summary judgment, which the district court¹ granted. The court noted that the resolution of the Board’s motion “in no way affects [Pelton’s] case against [Colley].” Pelton appeals the grant of summary judgment to the Board.

Because the district court has not disposed of Pelton’s claim against Colley and did not direct the entry of a final judgment for the Board or state its order should be immediately appealable, we lack jurisdiction over this appeal. See 28 U.S.C. §§ 1291, 1292(b); Fed. R. Civ. P. 54(b).

Accordingly, we dismiss this appeal for lack of jurisdiction.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Fernando J. Gaitan, Jr., United States District Judge for the Western District of Missouri.