

Before BOWMAN, Chief Judge, WOLLMAN, and MORRIS SHEPPARD ARNOLD,
Circuit Judges.

PER CURIAM.

Elmer Oberhellmann filed a notice of appeal from the district court's¹ order dismissing his action. Because that order did not dispose of Kristin Oberhellmann's counterclaim against Elmer Oberhellmann, it was not a final order and we lack jurisdiction to review it. See 28 U.S.C. § 1291; Fed. R. Civ. P. 54(b); Thomas v. Basham, 931 F.2d 521, 522-23 (8th Cir. 1991). We therefore dismiss the appeal.

A true copy.

Attest:

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

¹The Honorable Jean C. Hamilton, Chief Judge, United States District Court for the Eastern District of Missouri.