

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-11281
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT July 12, 2006 THOMAS K. KAHN CLERK
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D. C. Docket No. 04-02274-CV-AR-M

DONNIE ARRINGTON,

Plaintiff-Appellee,

versus

CHARLES CLIFTON,

Defendant-Appellant,

CHASE JENKINS, individually and in his
official capacity as an officer of the City of
Rainbow City Police Department, et al.,

Defendants.

Appeal from the United States District Court
for the Northern District of Alabama

(July 12, 2006)

Before BLACK, BARKETT and HILL, Circuit Judges.

PER CURIAM:

One of the defendants, Charles Clifton, appeals the order of the district court denying him qualified immunity. The trial judge found that the facts are not, at this stage, undisputed.

We have reviewed the briefs, record and the order of the district judge. We agree that questions of fact, hotly disputed, prevent grant of qualified immunity.

AFFIRMED.