

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-15356

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT June 10, 2008 THOMAS K. KAHN CLERK

D. C. Docket No. 05-00473-CV-W-E

LISA BARNETTE,
JERRY BARNETTE, et al.,

Plaintiffs-Appellees,

versus

CITY OF PHENIX CITY, AL.,
OFFICER LAHR, OFFICER BAILEY, OFFICER NOLIN,
OFFICER CAREANO, OFFICER BARR,
GROVER GOODRICH, DEPUTY,
HEATH TAYLOR, DEPUTY,

Defendants-Appellants.

Appeals from the United States District Court
for the Middle District of Alabama

(June 10, 2008)

Before DUBINA and BARKETT, Circuit Judges, and SCHLESINGER*, District Judge.

PER CURIAM:

Appellants bring this interlocutory appeal pursuant to 28 U.S.C. § 1291 and Mitchell v. Forsyth, 472 U.S. 511, 105 S.Ct. 2806, 86 L.Ed.2d 411 (1985), challenging the district court's ruling denying them summary judgment by finding that they were not entitled to qualified immunity with respect to Appellee's claims brought under 42 U.S.C. § 1983.

After reviewing the record, reading the parties' briefs, and having the benefit of oral argument, we conclude that the district court did not err in denying Appellants' motion for summary judgment. Accordingly, the district court's ruling is

AFFIRMED.

*Honorable Harvey E. Schlesinger, United States District Judge for the Middle District of Florida, sitting by designation.