

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

November 28, 2017

Lyle W. Cayce  
Clerk

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No. 17-60108  
Summary Calendar

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GREEN TREE SERVICING, L.L.C.; WALTER INVESTMENT MANAGE-  
MENT CORPORATION; BEST INSURORS, INCORPORATED; MID STATE  
CAPITAL, L.L.C.; MID STATE TRUST II; MID STATE TRUST III; MID  
STATE TRUST IV; MID STATE TRUST V; MID STATE TRUST VI; MID  
STATE TRUST VII; MID STATE TRUST VIII; MID STATE TRUST IX; MID  
STATE TRUST X; MID STATE TRUST XI; WILMINGTON TRUST COM-  
PANY; MID-STATE CAPITAL CORPORATION 2004-1 TRUST; MID-STATE  
CAPITAL CORPORATION 2005-1 TRUST; MID-STATE CAPITAL CORPO-  
RATION 2006-1 TRUST; MID-STATE CAPITAL TRUST 2010-1,

Plaintiffs - Appellees

v.

STACY MILLER; APRIL MILLER,

Defendants - Appellants

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:16-CV-311

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Before KING, ELROD, and HIGGINSON, Circuit Judges.

No. 17-60108

PER CURIAM:\*

This case presents an identical issue to one we recently addressed in *Green Tree Servicing, L.L.C. v. Charles*, 872 F.3d 637 (5th Cir. 2017): whether a district court's order compelling arbitration and dismissing the case with prejudice constitutes a final appealable order when a case involving the same parties and essentially the same dispute is stayed in the district court pending arbitration. We held in *Charles* that the district court's order was not a final appealable order, and we therefore dismissed for lack of jurisdiction. *Id.* at 639–40. We similarly DISMISS this case for lack of jurisdiction.

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.