

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ROBIN WILLIAMS, ET AL.

CIVIL ACTION

VERSUS

NO. 09-148-JJB

EAST BATON ROUGE PARISH
SHERIFF'S OFFICE, ET AL.

RULING

This matter is before the Court on a motion (doc. 98) to designate ruling as final and appealable, filed by defendant Riverdale Commons Homeowner's Association ("Riverdale"). Plaintiffs Robin Williams and Trace Williams have filed no opposition to this motion. Oral argument is not necessary.

Robin and Trace Williams commenced this litigation by filing suit against East Baton Rouge Parish Sheriff's Office, Sheriff Sid Gautreaux, III, Riverdale, and Joni Karras, alleging negligence, gross negligence, fraud, conversion, unjust enrichment, malicious prosecution, and various violations of 42 U.S.C. §1983. In a previous ruling (doc. 85), this court dismissed all claims against Riverdale.

In the present motion, Riverdale requests that this court designate our September 28, 2010 ruling (doc. 85) as final and appealable, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure. Rule 54(b) states:

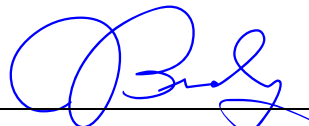
When an action presents more than one claim for relief--whether as a claim, counterclaim, crossclaim, or third-party claim--or when multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason

for delay. Otherwise, any order or other decision, however designated, that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties does not end the action as to any of the claims or parties and may be revised at any time before the entry of a judgment adjudicating all the claims and all the parties' rights and liabilities.

Rule 54(b) certification is not to be routinely granted. *Jasmin v. Dumas*, 726 F.2d 242, 244 (5th Cir. 1984); *Kirtland v. J. Ray McDermott & Co.*, 568 F.2d 1166 (5th Cir. 1978). In the interest of avoiding piecemeal review, the court declines to designate our September 28, 2010 ruling as final and appealable. In addition, this court does not find that the issues involving Riverdale are separate and distinct from all remaining defendants.

Accordingly, defendant Riverdale's motion (doc. 98) to designate ruling as final and appealable is DENIED.

Signed in Baton Rouge, Louisiana, on January 4, 2011.



**JUDGE JAMES J. BRADY
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**