

NOT PRECEDENTIAL

THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 02-4117

JOSEPHINE PETERSEN-SPRINGER

Appellant,

v.

THE UNIVERSITY OF THE VIRGIN ISLANDS

ON APPEAL FROM THE DISTRICT COURT OF THE VIRGIN ISLANDS

(D.C. Civil No. 99-cv-00199)

The Honorable Raymond L. Finch, Chief Judge
The Honorable Thomas K. Moore, District Judge
The Honorable Maria M. Cabret, Territorial Judge

Submitted Under Third Circuit LAR 34.1(a)
December 9, 2003

BEFORE: NYGAARD, BECKER, and STAPLETON, Circuit Judges.

(Filed: December 29, 2003)

ORDER

NYGAARD, Circuit Judge.

This is an appeal from a non-final order of the Appellate Division of the District Court of the Virgin Islands, which does not fall within an exception to the finality doctrine. *See* 28 U.S.C. § 1291; 48 U.S.C. § 1613a(c). The proceedings in the case are ongoing in the territorial court, and the merits have not yet been conclusively determined. *See Ortiz v. Dodge*, 126 F.3d 545, 548 (3d Cir. 1997). The case, therefore, is hereby dismissed for lack of appellate jurisdiction. *See In re Alison*, 837 F.2d 619, 620 (3d Cir. 1988).

/s/ Richard L. Nygaard
Circuit Judge