

O'Dell Vs. Espinoza

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Court : US Supreme Court

Decided On : May-03-1982

Appeal No. : 456 U.S. 430

Appellant : O'Dell

Respondent : Espinoza

Judgement :

O'Dell v. Espinoza - 456 U.S. 430 (1982)

U.S. Supreme Court O'Dell v. Espinoza, 456 U.S. 430 (1982)

O'Dell v. Espinoza

No. 81-534

Argued April 26, 1983

Decided May 3, 1982

456 U.S. 430

CERTIORARI TO THE SUPREME COURT OF COLORADO

Certiorari dismissed for want of jurisdiction. Reported below: 633 P.2d 455.

PER CURIAM.

Under 28 U.S.C. 1257, this Court has jurisdiction to review only "[f]inal judgments or decrees rendered by the highest court of a State in which a decision could be had." Because the Colorado Supreme Court remanded this case for trial, its decision is not final "as an effective determination of the litigation." *Market Street R. Co. v. Railroad Comm'n of Cal.*, [324 U. S. 548](#) , [324 U. S. 551](#) (1945). Although there is a limited set of situations in which we have found finality as to the federal issue despite the ordering of further proceedings in the lower state courts, see *Cox Broadcasting Corp. v. Cohn*, [420 U. S. 469](#) (1975), this case does not fit into any of those categories. We therefore dismiss for want of jurisdiction.

It is so ordered.

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