

[NOT FOR PUBLICATION - NOT TO BE CITED AS PRECEDENT]

United States Court of Appeals For the First Circuit

No. 01-2485

NELSON CASTELLAR PACHECO, ET AL.,

Plaintiffs, Appellees,

v.

WALTER TORRES MALDONADO, ET AL.,

Defendants, Appellants.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF PUERTO RICO

[Hon. Carmen Consuelo Cerezo, U.S. District Judge]

Before

Boudin, Chief Circuit Judge,
Howard, Circuit Judge,
and Shadur,* Senior District Judge

Luis E. Pabon-Roca, with whom Ernesto G. López Soltero was on brief, for appellant.

Claudio Aliff-Ortiz, with whom Pablo Landrau-Pirazzi and Aldarondo & Lopez Bras were on brief, for appellees.

November 27, 2002

*Of the Northern District of Illinois, sitting by designation.

Per Curiam. This case comes to us after a jury found the plaintiffs had suffered adverse employment consequences due to their political affiliation. The defendants-appellants, who are the mayor and three other officials of the municipal government of Peñuelas, Puerto Rico as well as the municipality itself, have appealed the denial of their post-trial motion for judgment as a matter of law.

The municipal officials were sued in both their official and individual capacities. They have not appealed as individuals, and in fact the monetary judgments below have been satisfied by payments on their behalf to the plaintiffs-appellees. Consequently, the parties have agreed that, but for an issue involving reinstatement of one of the plaintiffs, Nelson Castellar Pacheco, this appeal may be dismissed as moot. As to the reinstatement of Castellar Pacheco, there has not been an appeal taken from the post-trial order granting his reinstatement. See Fed. R. App. P. 3(c)(1)(B) (notice of appeal must designate judgment or order appealed from).

Accordingly, the appeal is **dismissed**.