

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 19-1509

LASHAWN JONES,
Appellant

v.

OCEAN COUNTY DIVISION OF CHILD PROTECTION AND
PERMANENCY; SUPERIOR COURT OF OCEAN COUNTY
NEW JERSEY; HON. ROBERT E. BRENNAN, J.S.C.;
JUDGE STEPHEN J. BERNSTEIN, Monmouth County

On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil No. 3-18-cv-11528)
District Judge: Honorable Michael A. Shipp

Submitted for Possible Dismissal Pursuant to 28 U.S.C. § 1915(e)(2)(B) or
Summary Action Pursuant to Third Circuit LAR 27.4 and I.O.P. 10.6

August 15, 2019

Before: CHAGARES, RESTREPO, and SCIRICA, Circuit Judges

(Opinion filed: February 19, 2020)

OPINION*

PER CURIAM

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Lashawn Jones appeals from an order denying his motion for a preliminary injunction. We will dismiss this appeal as moot.

Jones is a New Jersey state prisoner. He filed a federal complaint raising claims regarding visitation with his son J.G. After a New Jersey state court issued an order suspending those visits, Jones filed a motion for a preliminary injunction and apparently sought an order directing the visits to resume. The District Court denied that motion, and Jones filed this appeal.

Ordinarily, we would have jurisdiction to review the District Court's denial of Jones's motion for a preliminary injunction under 28 U.S.C. § 1292(a)(1). After Jones filed this appeal, however, the District Court entered an order dismissing his amended complaint. The District Court dismissed most of Jones's claims with prejudice, but it dismissed some of his claims without prejudice and with leave to further amend. Jones did not amend within the time permitted and instead filed a second appeal at C.A. No. 19-2021. That appeal is not presently before us.

By filing that appeal instead of amending within the time permitted, however, Jones rendered the District Court's order of dismissal final by standing on his complaint. See Hoffman v. Nordic Nats., Inc., 837 F.3d 272, 279 & n.49 (3d Cir. 2016). And the District Court's final order of dismissal renders moot this appeal from its order denying Jones's motion for a preliminary injunction. See Doe ex rel. Doe v. Governor of N.J.,

783 F.3d 150, 151 n.1 (3d Cir. 2015) (citing Hankins v. Temple Univ. (Health Sciences Ctr.), 829 F.2d 437, 438 n.1 (3d Cir. 1987)).

Thus, we will dismiss this appeal as moot. See id. Jones's motion for appointment of counsel on appeal is denied. To the extent that Jones's filings can be construed to request any other forms of relief, those requests are denied as well.