

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

SWAN B. MOSS, III, *et al.*

PLAINTIFFS

v.

Consolidated Action
Case No. 4:12-cv-4030

UNITED STATES OF AMERICA

DEFENDANT

ORDER

Before the Court is Plaintiffs' Motion for Entry of Judgment Pursuant to Fed. R. Civ. P. 58(d). ECF No. 73. In the instant motion, Plaintiffs move the Court to file a final judgment pursuant to Federal Rule of Civil Procedure 58(d). However, prior to filing the instant motion, Plaintiffs filed a Notice of Appeal, appealing the Court's previous ruling dismissing this matter. The Eighth Circuit subsequently issued an opinion and judgment affirming this Court's decision dismissing the action. ECF Nos. 82-1, 82-2. The Eighth Circuit has now issued the formal mandate. ECF No. 82. Accordingly, in light of these facts, the Court finds that the instant motion has been rendered moot and should be and hereby is **DENIED AS MOOT**.

IT IS SO ORDERED, this 22nd day of January, 2019.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge