

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ROBERT WARREN CHAPMAN,

Petitioner,

v.

Case No: 2:17-cv-343-FtM-38CM

SECRETARY, DOC and FLORIDA  
ATTORNEY GENERAL,

Respondents.

\_\_\_\_\_ /

**OPINION AND ORDER**<sup>1</sup>

This matter comes before the Court on the Secretary of the Department of Corrections Suggestion of Death of Petitioner ([Doc. 12](#)) filed on January 23, 2018. According to Classifications Supervisor Oudshoff, Petitioner passed away on November 12, 2017. The Department of Corrections website shows Petitioner as deceased. ([Doc. 12 at 4](#)).

If an event after the filing of the lawsuit deprives “the court of the ability to give the plaintiff or appellant meaningful relief, then the case is moot and must be dismissed.” [Soliman v. United States ex rel. INS](#), 296 F.3d 1237, 1242 (11th Cir. 2002) (internal quotation marks and citation omitted); see also [Spencer v. Kemna](#), 523 U.S. 1, 7 (1998)

---

<sup>1</sup> Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users’ convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

("Throughout the litigation, the plaintiff 'must have suffered or be threatened with, an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.") (citation omitted). Petitioner is deceased and the Court is deprived of the ability to give him meaningful relief. As such, Petitioner's Petition is moot and must be dismissed.

Accordingly, it is now

**ORDERED:**

1. Petitioner Robert Warren Chapman's Petition for Writ of Habeas Corpus ([Doc. 1](#)) is **DISMISSED**.
2. The Clerk of Court is hereby directed to enter judgment accordingly, terminate any pending motions, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 11th day of April, 2018.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies:  
All Parties of Record  
SA: FTMP-2