

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 ORDER¹

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)

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("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