

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

HERMAN WALLACE

CIVIL ACTION

VERSUS

HOWARD PRINCE, WARDEN

NO.: 3:09-cv-01027-BAJ-SCR

ORDER

In accordance with the mandate of the United States Court of Appeals for the Fifth Circuit (Doc. 107), and this Circuit's precedent, *see Knapp v. Baker*, 509 F.2d 922 (5th Cir. 1975) (per curiam) (holding that when a habeas petitioner who has been "grant[ed] a writ of habeas corpus from a . . . state conviction" dies while the State's appeal is pending, the proper course is to "vacate the judgment and remand to the district court with direction to dismiss the case as moot"):

IT IS ORDERED that this Court's **JUDGMENT (Doc. 97)** be, and hereby is, **VACATED**.

IT IS FURTHER ORDERED that this matter is **DISMISSED AS MOOT**.

Baton Rouge, Louisiana, this 22nd day of May, 2014.



**BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**