

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JOHN WOODWARD ICKES, JR.,

Petitioner,
v.

Civil Action No. **3:14CV28**

**WARDEN OF THE GREENVILLE CORRECTIONAL
CENTER,**

Respondent.

MEMORANDUM OPINION

By Memorandum Opinion and Order entered March 2, 2015, the Court dismissed John Woodward Ickes's 28 U.S.C. § 2254 petition. (ECF Nos. 31–32.) The Court subsequently denied a certificate of appealability. (ECF No. 33.) Ickes appealed. On July 30, 2015, the United States Court of Appeals for the Fourth Circuit “grant[ed] a certificate of appealability, vacat[ed] the district court’s order, remand[ed] the case to the district court, and instruct[ed] the district court to dismiss the petition for lack of jurisdiction.” *Ickes v. Warden of Greensville Corr. Ctr.*, --- F. App’x ----, 2015 WL 4571112, at *1 (4th Cir. July 30, 2015). The Fourth Circuit explained that despite its grant of a certificate of appealability “the state court issued a civil commitment order while the § 2254 proceedings were pending, thereby rendering the § 2254 petition moot.” *Id.*

In accordance with the Fourth Circuit’s directive, the Court will DISMISS the petition for lack of jurisdiction.

An appropriate Order shall issue.

Date: *9-15-15*
Richmond, Virginia

<p>_____ <i>/s/</i> James R. Spencer Senior U. S. District Judge</p>
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