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## 2018 Decisions

Opinions of the United  
States Court of Appeals  
for the Third Circuit

9-21-2018

## In Re: Charles Smith

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 18-2654

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In re: CHARLES E. SMITH, Petitioner

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On a Petition for Writ of Mandamus from the  
United States District Court for the Middle District of Pennsylvania  
(Related to Civ. No. 1-17-cv-02339)

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Submitted Pursuant to Rule 21, Fed. R. App. P.  
September 13, 2018

Before: RESTREPO, BIBAS and NYGAARD, Circuit Judges

(Opinion filed: September 21, 2018)

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OPINION\*

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PER CURIAM

Pro se petitioner Charles Smith has filed a petition for writ of mandamus requesting that we direct the United States District Court for the Middle District of Pennsylvania to rule on his 28 U.S.C. § 2241 petition. However, on March 23, 2018—months before Smith filed this mandamus petition—the District Court dismissed the § 2241 petition. Smith thus has not shown an “injury in fact” that will likely “be

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\* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

redressed by a favorable decision” from this Court, Lujan v. Defs. of Wildlife, 504 U.S. 555, 560–61 (1992) (quotation marks omitted), and we will therefore dismiss his petition for lack of jurisdiction.<sup>1</sup>

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<sup>1</sup> Smith’s motions to proceed in forma pauperis and to be relieved from filing his prison-account statement are granted.