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

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10-18-2019

## Farmer v. Kirby

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**NOT PRECEDENTIAL**

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 19-1660

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JOSEPH W. FARMER,

Appellant

v.

MARK A. KIRBY

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On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Civil Action No. 16-cv-08657)  
District Judge: Honorable Renée Bumb

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Submitted Pursuant to Third Circuit LAR 34.1(a)  
October 1, 2019

Before: MCKEE, COWEN and RENDELL, Circuit Judges

(Opinion filed October 18, 2019)

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OPINION\*

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PER CURIAM

Joseph W. Farmer timely appealed from an order of the United States District Court for the District of New Jersey, which denied his habeas petition filed under 28 U.S.C. § 2241. Soon thereafter, Farmer was unconditionally released from prison. As release from prison was the sole remedy that Farmer sought (and is the only remedy he mentions in his appeal brief), his appeal is now moot. See Invista S.À.R.L. v. Rhodia, S.A., 625 F.3d 75, 85-86 (3d Cir. 2010) (“[A]n appeal will be dismissed as moot when events occur during [its] pendency . . . which prevent the appellate court from granting any effective relief,” as appellate courts “do not have jurisdiction to hear a case that cannot affect the rights the appellant wishes to assert”) (internal quotation marks omitted)). We thus will dismiss the appeal.<sup>1</sup>

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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.

<sup>1</sup> The parties were invited to address how Farmer’s release from prison affected the appeal. Farmer did not respond within the time allowed, but in any event, we cannot discern any way in which this appeal could effectuate any relief that Farmer requested.