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2009 Decisions

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States Court of Appeals  
for the Third Circuit

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3-6-2009

## Lawrence Wilder Sr. v. Michael Tittle

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 08-2557  
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LAWRENCE VERLINE WILDER, Sr.,  
Appellant

v.

MICHAEL TITTLE; JANICE TITTLE; MONIQUE CELESTE THOMAS

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On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Civil No. 98-03811)  
District Judge: Honorable Dennis M. Cavanaugh  
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Submitted for Possible Summary Action  
Pursuant to Third Circuit LAR 27.4 and I.O.P. 10.6  
January 15, 2009  
Before: MCKEE, FISHER and CHAGARES, Circuit Judges

(Opinion filed: March 6, 2009)

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OPINION  
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PER CURIAM

Lawrence Verline Wilder, Sr., appeals from an order of the United States District Court for the District of New Jersey denying his motion to reopen his case that had been dismissed in 1999.

Wilder filed the underlying action in 1998 in the District Court, and the docket indicates that the presiding judge granted in forma pauperis status and dismissed his complaint. Wilder appealed, and this Court affirmed in an opinion dated July 16, 1999. On January 2, 2008, Wilder filed a motion to reopen his appeal, alleging that he was unable to pursue his claim due to a disability.

The District Court determined that Wilder had failed to establish why his case should be reopened, and we agree. Wilder asserts that he was unable to pursue his claim, but that is not so because he completed an appeal before this Court. Nor does he explain why he should be allowed to relitigate claims that were previously considered by both the District Court and this Court.

Accordingly, Wilder's appeal presents no substantial question, and we will summarily affirm. Wilder's motion for appointment of counsel is denied.