

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 09-3523

THE LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA,
Appellant

v.

RALPH J. CAPPY; PAUL J. KILLION; PAUL J. BURGOYNE; RAYMOND S.
WIERCISZEWSKI

On Appeal from the United States District Court
for the Middle District of Pennsylvania
District Court No. 08-CV-971
District Judge: The Honorable Yvette Kane

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
June 21, 2010

Before: SLOVITER, SMITH, and COWEN, *Circuit Judges*

Filed: June 29, 2010

JUDGMENT ORDER

This cause came on to be heard on the record from the United States District Court for the Middle District of Pennsylvania and was submitted on June 21, 2010.¹ On

¹ The District Court had jurisdiction under 28 U.S.C. §§ 1331 and 1343. We exercise appellate jurisdiction under 28 U.S.C. § 1291. We review a District Court's refusal to disqualify itself under § 455(a) for an abuse of discretion. *United States v.*

consideration thereof, it is now ORDERED and ADJUDGED that the judgment of the District Court entered on July 24, 2009, be and the same hereby is AFFIRMED. Costs taxed against the appellant.

By the Court,

/s/D. Brooks Smith
Circuit Judge

ATTEST:

/s/Marcia M. Waldron
Clerk

Dated: June 29, 2010

Antar, 53 F.3d 568, 573 (3d Cir. 1995). We exercise plenary review over a District Court's determinations of mootness, *Burkey v. Marberry*, 556 F.3d 142, 146 (3d Cir. 2009), and lack of standing, *Common Cause of Pennsylvania v. Pennsylvania*, 558 F.3d 249, 257 (3d Cir. 2009).