

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 18-2654

---

In re: CHARLES E. SMITH, Petitioner

---

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)

---

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

Before: RESTREPO, BIBAS and NYGAARD, Circuit Judges

(Opinion filed: September 21, 2018)

---

OPINION\*

---

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

---

\* 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>

---

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