

Filed March 23, 2001

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 00-1459

*IN RE: AUSTEN O. NWANZE,

Petitioner

*(Amended in accordance with Clerk's Order
dated 12/18/00 pursuant to Rule 21(a)(2)(A))

On Petition for a Writ of Mandamus
Directed to the United States District Court
for the Western District of Pennsylvania
(Related to D.C. Civ. No. 98-00025E)

Argued February 15, 2001

BEFORE: MANSMANN, AMBRO, and GREENBERG,
Circuit Judges

ORDER AMENDING OPINION

It is ordered that the slip opinion in the above case filed
on March 13, 2001, be amended as follows:

(1) In the second line of the incomplete paragraph at
the bottom of page 10 delete the word "circumstance"
and insert "circumstances" in its place;

(2) Delete the sentence reading "The parties shall bear
their own costs in this matter" at the end of the last
complete paragraph on page 11 which is immediately
prior to the CONCLUSION but insert the same
sentence at the end of the CONCLUSION so that the
CONCLUSION shall read as follows:

For the foregoing reasons the petition for a writ of mandamus will be denied. The parties shall bear their own costs in this matter.

By the Court,

/s/ Morton I. Greenberg Circuit Judge

DATED: March 23, 2001

A True Copy:

Teste:

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