

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-10650

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INTERSTATE COMMERCE COMMISSION,

Plaintiff-Appellant,

versus

CHAPPELL FREIGHT FORWARDERS, INC.,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
(1:93-CV-53)

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(February 20, 1995)

Before JONES, DUHÉ, and STEWART, Circuit Judges.

PER CURIAM:\*

At oral argument this court was first informed that the company Chappell Freight Forwarders, Inc. ceased operation and entered into liquidation proceedings under Chapter 7 of the Bankruptcy Code prior to the entry of judgment by the district court. The trial court record confirms this occurrence.

An action is moot where (1) the controversy is no longer live or (2) the parties lack a personal stake in its outcome. Rocky v. King, 900 F.2d 864, 867 (5th Cir. 1990). Because neither

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\* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

party has identified any tangible relief a court could order either when the district court entered judgment or now, following Chappell's demise, a decision in this case would be a pure advisory opinion. The case is moot. We therefore **VACATE** the district court's order granting summary judgment for the defendant and **REMAND** to the district court with the order to dismiss as moot.