

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

February 3, 2020

Lyle W. Cayce
Clerk

No. 19-60598

BRYN ELLIS,

Petitioner-Appellant

v.

RON KING, Superintendent,

Respondent-Appellee

Appeals from the United States District Court
for the Southern District of Mississippi
USDC No. 3:18-CV-850

Before HAYNES, GRAVES, and ENGELHARDT, Circuit Judges.

PER CURIAM:*

Bryn Ellis, Mississippi prisoner # 186582, requested a certificate of appealability (COA) in order to appeal from the district court's dismissal with prejudice of his 28 U.S.C. § 2254 application as time barred. Ellis's death during the pendency of his COA motion has rendered his § 2254 application moot. *See Soffar v. Davis*, 653 F. App'x 813, 814 (5th Cir. 2016) (citing *Knapp v. Baker*, 509 F.2d 922, 922 (5th Cir. 1975)).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 19-60598

Accordingly, we DENY as unnecessary Ellis's motion to expedite consideration of his COA motion, GRANT Ellis's COA motion, VACATE the district court's judgment, and REMAND the case with direction to dismiss Ellis's § 2254 application as moot.