

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

FILED BY AP D.C.

**Jan 5, 2022**

**ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - MIAMI**

David J. Smith  
Clerk of Court

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January 05, 2022

Clerk - Southern District of Florida  
U.S. District Court  
400 N MIAMI AVE  
MIAMI, FL 33128-1810

Appeal Number: 17-13467-CC  
Case Style: Juan Gil, et al v. Winn-Dixie Stores, Inc.  
District Court Docket No: 1:16-cv-23020-RNS

The enclosed copy of this court's published order dismissing an appeal is hereby issued as the mandate of this court. 11th Cir. R. 41-3.

A copy of this letter, and the judgment form if noted above, but not a copy of the court's decision, is also being forwarded to counsel and pro se parties. A copy of the court's decision was previously forwarded to counsel and pro se parties on the date it was issued.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Lois Tunstall  
Phone #: (404) 335-6191

Enclosure(s)

MDT-1 Letter Issuing Mandate

[PUBLISH]

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 17-13467-CC

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JUAN CARLOS GIL,

Plaintiff-Appellee,

*versus*

WINN-DIXIE STORES, INC.,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Florida

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BEFORE: JILL PRYOR, BRANCH, Circuit Judges, and REEVES,\*  
District Judge.

PER CURIAM:

The Petition for Panel Rehearing filed by Appellee Juan Carlos Gil is GRANTED. Due to the expiration of the injunction while the appeal was pending and the absence of any formal award of declaratory relief, the appeal was rendered moot. “A moot case is nonjusticiable and Article III courts lack jurisdiction to entertain it.” *Troiano v. Supervisor of Elections in Palm Beach Cnty., Fla.*, 382 F.3d 1276, 1281 (11th Cir. 2004).

Accordingly, we vacate our opinion and the underlying judgment, dismiss the appeal, and remand for the district court to dismiss the case as moot.

\* Honorable Danny C. Reeves, United States District Chief Judge for the Eastern District of Kentucky, sitting by designation.