

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

ORDER

August 31, 2020

By the Court:

No. 20-2416	IN RE: DURWYN TALLEY, Petitioner
Petition for Writ of Mandamus	
District Court No: 3:19-cv-01359-NJR District Judge Nancy J. Rosenstengel	

The following is before the court: **PETITION FOR REHEARING ON ORDER DENYING MANDAMUS AS UNNECESSARY GIVEN ON AUGUST 18, 2020**, filed on August 27, 2020, by the pro se petitioner.

In light of this court's order in appeal No. 19-3032 (as modified by the order of July 28, 2020, in No. 20-2290) and the district court's finding on August 18, 2020, that this suit does not concern any imminent danger, this appeal is **DISMISSED**. The petition for rehearing, the filing of which is a violation of the order in No. 19-3032, will not be acted on. This appeal is **CLOSED**, and the mandate shall issue forthwith. Any further filings in this appeal will be returned without action.

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ORDER

August 18, 2020

Before

FRANK H. EASTERBROOK, *Circuit Judge*

No. 20-2416	IN RE: DURWYN TALLEY, Petitioner
Petition for Writ of Mandamus	
District Court No: 3:19-cv-01359-NJR District Judge Nancy J. Rosenstengel	

Upon consideration of the **URGENT MANDAMUS AGAINST THE UNITED STATES COURT OF APPEALS FOR DENYING PLAINTIFF COMPLETE ACCESS TO THE FEDERAL COURTS IN VIOLATION OF HIS FIRST, FIFTH AND FOURTEENTH AMENDMENT RIGHTS TO THE UNITED STATES CONSTITUTION AND CLEARLY ESTABLISHED FEDERAL LAW**, which this court construes as a motion to amend the filing bar order in No. 19-3032, filed on July 31, 2020, by the pro se petitioner,

IT IS ORDERED that the motion is **DENIED** as unnecessary in light of this court's July 28, 2020, order in No. 20-2290.

The appeal that Durwyn Talley filed on July 7, 2020, in case 1:20-cv-01159-CSB from the Central District of Illinois, may proceed, but determining imminent danger will be the first step. The district court has our permission to address that question in light of the amended order in No. 19-3032 before appellate proceedings resume. The clerk of this court shall transmit this order to the district court.

**Additional material
from this filing is
available in the
Clerk's Office.**