

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 24-13048

Non-Argument Calendar

BARRY E. MUKAMAL,
solely in his capacity as Plan Administrator
of the 942 Penn RR, LLC Post-confirmation
Bankruptcy Estate,

Plaintiff-Appellee,

versus

RAZIEL OFER,

Defendant-Cross Claimant-Appellant,

RAFAEL ROBERTO MENDEZ, et al.,

Cross Defendants.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 1:24-cv-22803-BB

Before ROSENBAUM, NEWSOM, and ABUDU, Circuit Judges.

PER CURIAM:

In May 2022, 942 Penn RR, LLC , a company in which Raziel Ofer and Robert Mendez each held 50% interests, filed for bankruptcy. Barry E. Mukamal was appointed as the trustee. In 2024, pursuant to the bankruptcy court's order, Mukamal filed an interpleader action in state court to resolve several parties' claims to excess funds in the bankruptcy estate.

Ofer, proceeding *pro se*, removed the interpleader action to the district court. The district court remanded the action on August 23, 2024. Ofer appealed.

A jurisdictional question asked the parties to address whether 28 U.S.C. § 1447(d) bars review of that order. In their response, the charging order parties brought to our attention that Mendez has removed the interpleader action again. The district court has stayed the action pending this appeal.

24-13048

Opinion of the Court

3

Our jurisdiction is limited to “cases” and “controversies,” which requires, *inter alia*, that the issue or issues not be moot. *Christian Coal. of Fla., Inc. v. United States*, 662 F.3d 1182, 1189 (11th Cir. 2011). “An issue is moot when it no longer presents a live controversy with respect to which the court can give meaningful relief.” *Zinni v. ER Solutions, Inc.*, 692 F.3d 1162, 1166 (11th Cir. 2012) (quotation marks omitted).

This appeal is moot. Because Mendez has removed the interpleader action back to the district court, we can no longer grant Ofer effective relief from the August 23 remand order. *See id.*; *Brooks v. Ga. State Bd. of Elections*, 59 F.3d 1114, 1119 (11th Cir. 1995) (explaining that an appeal can become moot via intervening events).

Accordingly, this appeal is DISMISSED for lack of jurisdiction. All pending motions are DENIED as moot.