

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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



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ORDER

June 27, 2022

Before

ILANA DIAMOND ROVNER, *Circuit Judge*
THOMAS L. KIRSCH II, *Circuit Judge*
CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 21-2763	TYLER CAMERON GUTTERMAN, et al., Plaintiffs - Appellants v. INDIANA UNIVERSITY, BLOOMINGTON and PAMELA S. WHITTEN, Defendants - Appellees
Originating Case Information:	
District Court No: 1:20-cv-02801-JMS-MJD Southern District of Indiana, Indianapolis Division District Judge Jane Magnus-Stinson	

The following are before the court:

1. **APPELLEES' MOTION TO DISMISS APPEAL AS MOOT**, filed on June 6, 2022, by counsel.
2. **APPELLANT'S OPPOSITION TO MOTION TO DISMISS**, filed on June 20, 2022, by counsel.

The controversy at issue in the appeal has become moot, and the right to review has been lost by happenstance. Appellants are all former students of Indiana University, having since graduated. Conceivably, non-students could present a claim with injuries that are non-speculative. But Appellants have not asserted in their briefing any specific ways in which the retention of their swipe data (if it is, in fact, retained), could be used in a manner that violated their Fourth Amendment rights. Accordingly,

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IT IS ORDERED that the appeal is **DISMISSED** as moot, and the case is **REMANDED** with instructions for the district court to vacate its judgment and dismiss the complaint. *See United States v. Munsingwear*, 340 U.S. 36, 39 (1950).