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In Re: Andre Thompson

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 21-3160

IN RE: ANDRE THOMPSON,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Eastern District of Pennsylvania
(Related to E.D. Pa. Crim. No. 2:09-cr-00143-001)

Submitted Pursuant to Rule 21, Fed. R. App. P.
December 10, 2021

Before: CHAGARES, Chief Judge, PORTER and FUENTES, Circuit Judges

(Opinion filed: January 7, 2022)

OPINION*

PER CURIAM

Pro se petitioner Andre Thompson seeks a writ of mandamus to compel the District Court to rule on a motion he filed pursuant to 28 U.S.C. § 2255. By order entered on December 10, 2021, the District Court denied his motion and declined to issue a certificate of appealability. In light of the District Court's action, Thompson's

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

mandamus petition no longer presents a live controversy. Therefore, we will dismiss it as moot. See Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996) (“If developments occur during the course of adjudication that eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.”).

If Thompson wishes to seek appellate review of the District Court’s decision with respect to his § 2255 motion, he should file a notice of appeal in the District Court within the time period set forth in Fed. R. App. P. 4(a)(1)(B).