



---

2016 Decisions

Opinions of the United  
States Court of Appeals  
for the Third Circuit

---

2-19-2016

## In Re: Dennever Livingston

Follow this and additional works at: [https://digitalcommons.law.villanova.edu/thirdcircuit\\_2016](https://digitalcommons.law.villanova.edu/thirdcircuit_2016)

---

### Recommended Citation

"In Re: Dennever Livingston" (2016). *2016 Decisions*. 183.  
[https://digitalcommons.law.villanova.edu/thirdcircuit\\_2016/183](https://digitalcommons.law.villanova.edu/thirdcircuit_2016/183)

This February is brought to you for free and open access by the Opinions of the United States Court of Appeals for the Third Circuit at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in 2016 Decisions by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 15-4050

---

IN RE: DENNEVER LIVINGSTON,  
Petitioner

---

On a Petition for Writ of Mandamus from the  
United States District Court for the Middle District of Pennsylvania  
(Related to M.D. Pa. No. 1-15-cv-00150)

---

Submitted Pursuant to Rule 21, Fed. R. App. P.  
February 11, 2016  
Before: FUENTES, KRAUSE and SCIRICA, Circuit Judges

(Filed: February 19, 2016)

---

OPINION\*

---

PER CURIAM

Pro se petitioner Dennever Livingston, a federal prisoner, filed a petition for a writ of mandamus pursuant to 28 U.S.C. § 1651, seeking an order directing the United States District Court for the Middle District of Pennsylvania to act on his pending petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241. Livingston's petition had originally been filed in the United States District Court for the Eastern District of

---

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

Virginia as a motion to vacate his sentence filed pursuant to 28 U.S.C. § 2255, after which it was transferred to the Middle District of Pennsylvania in January 2015.

On December 29, 2015, the District Court issued an order to show cause directing the government to respond to the habeas petition. The District Court has since granted a motion that Livingston filed seeking to amend his petition, and the government's motion for an extension of time to respond to the petition.

In a letter dated January 21, 2016, Livingston requested that this Court dismiss his petition for mandamus or otherwise dispose of the matter as law and justice require. Because Livingston has now received the relief he sought, we will dismiss the petition as moot.