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In Re: John Gassew

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 13-4750

IN RE: JOHN GASSEW,
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. 2:10-cr-00045-001)

Submitted Pursuant to Rule 21, Fed. R. App. P.
January 24, 2014

Before: SMITH, HARDIMAN and GREENBERG, Circuit Judges

(Opinion filed: February 19, 2014)

OPINION

PER CURIAM

In 2012, Petitioner John Gassew was convicted of two counts of robbery in violation of the Hobbs Act, 18 U.S.C. § 1951(a), and two counts of carrying and using a firearm during a crime of violence. The District Court sentenced Gassew to 444 months' imprisonment, we affirmed that judgment, see United States v. Gassew, 519 F. App'x 764, 765 (3d Cir. 2013), and the United States Supreme Court denied certiorari.

Shortly after our decision, Gassew, proceeding pro se, moved the District Court for copies of “All Exhibits, Trial Transcripts, Motions, Sentence Transcripts, as well as video recordings, of the Trial in this matter.” The Government opposed the motion. In December 2013, when the motion was still pending, Gassew filed this pro se petition for a writ of mandamus, setting forth reasons why the requested materials should be provided to him. On January 16, 2014, the District Court granted his motion. In light of that decision, we will deny Gassew’s mandamus petition as moot.¹

¹ To the extent that Gassew asks us to take judicial notice of certain statements made in the Government’s opposition to his motion, we deny that request as unnecessary.