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2013 Decisions

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

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9-11-2013

**In Re: Richard Pierce**

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 13-3498

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IN RE: RICHARD PIERCE,  
Petitioner

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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. 2:08-cr-00245-001)

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Submitted Pursuant to Rule 21, Fed. R. App. P.  
August 29, 2013

Before: FUENTES, FISHER and VANASKIE, Circuit Judges

**(Opinion filed: September 11, 2013)**

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OPINION

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PER CURIAM

On or about August 16, 2013, federal prisoner Richard Pierce filed a pro se petition for a writ of mandamus, seeking an order from this Court directing the United States District Court for the Eastern District of Pennsylvania (“the District Court”) to rule on his pending 28 U.S.C. § 2255 motion and the Government’s related motion to dismiss. On August 23, 2013, the District Court granted the Government’s motion to dismiss, denied Pierce’s request to amend his § 2255 motion as futile, dismissed his § 2255

motion, and closed the case. Because Pierce has now received a ruling on the pending motions in his § 2255 proceedings, we will deny his mandamus petition as moot.