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for the Third Circuit

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3-16-2017

**In Re: Alton D. Brown**

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 16-2749

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IN RE: ALTON D. BROWN,  
Petitioner

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On a Petition for Writ of Mandamus from the  
United States District Court for the Middle District of Pennsylvania  
(Related to M.D. Pa. Civ. No. 3-14-cv-01180)

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Submitted Pursuant to Rule 21, Fed. R. App. P.  
February 13, 2017

Before: SMITH, Chief Judge, McKEE and FUENTES, Circuit Judges

(Opinion filed: March 16, 2017)

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OPINION\*

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PER CURIAM

Alton D. Brown filed a petition for writ of mandamus requesting that we direct the District Court to rule on a request for an opportunity to appeal the District Court's dismissal order in Brown v. Lancaster, M.D. Pa. Civ. No. 3:14-cv-01180. The District Court has since ruled on Brown's filing. In light of the District Court's action, the question Brown presented is no longer a live controversy, so we will dismiss his

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\* 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 as moot. See, e.g., Lusardi v. Xerox Corp., 975 F.2d 964, 974 (3d Cir. 1992).