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4-19-2018

**In Re: Jong Shin**

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 18-1572

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IN RE: JONG SHIN,  
Petitioner

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On Petition for Writ of Mandamus from the  
United States District Court for the District of New Jersey  
(Related to D.N.J. No. 1-15-cv-07248)

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Submitted Pursuant to Fed. R. App. P. 21  
March 29, 2018

Before: SMITH, Chief Judge, CHAGARES, and BIBAS, Circuit Judges

(Opinion filed: April 19, 2018)

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OPINION\*

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PER CURIAM

Pro se petitioner Jong Shin seeks a writ of mandamus to compel the District Court to rule on a motion she filed pursuant to 28 U.S.C. § 2255. By order entered on April 11, 2018, the District Court denied her motion and declined to issue a certificate of appealability. In light of the District Court's action, Shin's mandamus petition no longer

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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.

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 Shin wishes to seek appellate review of the District Court’s decision with respect to her § 2255 motion, she 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).