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In Re: Jason Smart-EI

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 15-1111

IN RE: JASON EMANUEL SMART-EL,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the District of New Jersey
(Related to D.N.J. Civ. No. 1:13-cv-00164)

Submitted Pursuant to Rule 21, Fed. R. App. P.
February 20, 2015

Before: MCKEE, Chief Judge, GARTH and BARRY, Circuit Judges

(Opinion filed: April 14, 2015)

OPINION*

PER CURIAM

Jason Emanuel Smart-El filed a petition for writ of mandamus requesting that we direct the District Court to rule on a motion that he had filed pursuant to 28 U.S.C. § 2255. The District Court has since granted Smart-El's § 2255 motion. In light of the District Court's action, the question Smart-El presented is no longer a live controversy, so we will dismiss the petition as moot. See, e.g., Lusardi v. Xerox Corp., 975 F.2d 964,

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

974 (3d Cir. 1992); see also 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.”)