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States Court of Appeals  
for the Third Circuit

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7-11-2014

**In Re: James Platts**

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 14-1411

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IN RE: JAMES C. PLATTS,  
Petitioner

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On a Petition for Writ of Mandamus from the  
United States District Court for the Western District of Pennsylvania  
(Related to Civ. No. 2-14-cv-00036)

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Submitted Pursuant to Rule 21, Fed. R. App. P.  
July 3, 2014  
Before: FUENTES, JORDAN and SHWARTZ, Circuit Judges

(Opinion filed: July 11, 2014)

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OPINION

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PER CURIAM

Pro se petitioner James Platts has filed a petition for writ of mandamus pursuant to 28 U.S.C. § 1651 seeking an order compelling the District Court to docket a complaint he filed against the United States alleging that it engaged in unauthorized collection actions. Our review of the District Court's docket reveals that Platts's civil action has, in fact, been docketed (and subsequently dismissed due to Platts's refusal either to pay the filing fee or file a motion to proceed in forma pauperis). See W.D. Pa. Civ. A. No. 14-cv-0036.

Therefore, Platts's mandamus petition seeking to compel the District Court to docket the action is moot,<sup>1</sup> and we will deny it accordingly.

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<sup>1</sup> To the extent that Platts asks us to order the District Court to hold an evidentiary hearing, we will deny the request because Platts's right to a hearing is not "clear and indisputable." Allied Chem. Corp. v. Daiflon, Inc., 449 U.S. 33, 36 (1980) (per curiam) (quotation marks omitted).