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2022 Decisions

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States Court of Appeals  
for the Third Circuit

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10-4-2022

**In Re: Omar McBride**

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**NOT PRECEDENTIAL**

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 22-2226

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IN RE: OMAR McBRIDE,  
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 Crim. No. 92-cr-00671-10)

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Submitted Pursuant to Rule 21, Fed. R. App. P.  
September 22, 2022

Before: CHAGARES, Chief Judge, PORTER and FUENTES, Circuit Judges

(Opinion filed: October 4, 2022)

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OPINION\*

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**PER CURIAM**

Petitioner Omar McBride filed a pro se “Petition for Judicial Review Pursuant to Mediation Rule L.A.R. 33.1 Appellate Mediation Program,” which we have construed as a mandamus petition requesting that we direct the District Court to rule on his pending

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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.

motion for a sentence reduction. By order entered September 19, 2022, the District Court denied the motion.

In light of the District Court's action, McBride's mandamus petition no longer 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 . . . prevent a court from being able to grant the requested relief, the case must be dismissed as moot.").