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In Re: Alton D. Brown

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 16-1546

IN RE: ALTON D. BROWN,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Eastern District of Pennsylvania
(Related to E.D. Pa. Civ. No. 2-14-cv-05762)

Submitted Pursuant to Rule 21, Fed. R. App. P.
August 18, 2016

Before: KRAUSE, SCIRICA and FUENTES, Circuit Judges

(Opinion filed: September 12, 2016)

OPINION*

PER CURIAM

In March 2016, Alton Brown, a Pennsylvania prisoner proceeding pro se, filed a petition for a writ of mandamus, requesting that we order the District Court to rule on his

* 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 reconsideration of the order dismissing his amended complaint without prejudice and his motion to recuse in Brown v. Wetzel, E.D. Pa. Civ. No. 2:14-cv-05762. However, the District Court ruled on those motions in February 2016, before Brown submitted this petition. Apparently as a result of a prison transfer, Brown did not receive the ruling when it was entered.¹

Because the District Court has ruled on Brown's motions and he has received the mandamus relief he requested, his mandamus petition is moot. See, e.g., Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996). Accordingly, we will dismiss Brown's mandamus petition.

¹ The District Court recently resent the order to Brown at his current address when it dismissed the action with prejudice.