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In Re: Richard Stewart

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 21-2851

IN RE: RICHARD STEWART,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Middle District of Pennsylvania
(Related to M.D. Pa. Civ. No. 3:20-cv-00803)

Submitted Pursuant to Rule 21, Fed. R. App. P.
November 18, 2021

Before: KRAUSE, MATEY and PHIPPS, Circuit Judges

(Opinion filed: December 8, 2021)

OPINION*

PER CURIAM

Richard Stewart filed a pro se petition for a writ of mandamus requesting that we compel the District Court to rule, in his favor, on a petition he filed under 28 U.S.C. § 2241. The District Court has since denied the § 2241 petition by order entered October

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

13, 2021, and Stewart has appealed. See C.A. No. 21-2980. In light of the District Court’s action, this mandamus petition does not present 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.”).