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In Re: Pargev Gazdhyan, Jr

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 18-3657

IN RE: PARGEV GAZDHYAN, JR.,
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. 2:17-cv-00218)

Submitted Pursuant to Rule 21, Fed. R. App. P.
May 9, 2019
Before: JORDAN, GREENAWAY, Jr., and NYGAARD, Circuit Judges

(Opinion filed August 20, 2019)

OPINION*

PER CURIAM

Pro se petitioner Pargev Gazdhyan seeks a writ of mandamus in connection with a 28 U.S.C. § 2255 motion he filed in the District Court. For the reasons that follow, we will dismiss Gazdhyan’s mandamus petition as moot.

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

In April 2018, Gazdhyan filed a motion to vacate, set aside, or correct his sentence under § 2255 in the District Court. On December 11, 2018, Gazdhyan filed this mandamus petition, asking that we direct the District Court to rule on his § 2255 motion “in an expedited fashion.” Mandamus Petition, at 1. Just over one month later, on January 23, 2019, the District Court issued a memorandum and order, denying Gazdhyan’s § 2255 motion.

Because Gazdhyan has now obtained the relief he sought, an adjudication of his § 2255 motion, his mandamus petition is now moot. See Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698–99 (3d Cir. 1996). We will therefore dismiss the petition.