

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE PETITION       §  
OF ANTHONY ZUPPO FOR A WRIT       § No. 65, 2005  
OF MANDAMUS                               §

Submitted: March 8, 2005  
Decided: March 14, 2005

Before **HOLLAND, BERGER, and JACOBS**, Justices.

**ORDER**

This 14<sup>th</sup> day of March 2005, it appears to the Court that Anthony Zuppo has filed a petition for a writ of mandamus seeking to compel the Superior Court to rule on his motion for postconviction relief. The record reflects that the Superior Court denied Zuppo's motion on February 28, 2005. Zuppo has filed an appeal from that decision in case No. 87, 2005. Consequently, the petition for a writ of mandamus is moot.

NOW, THEREFORE, IT IS ORDERED that the petition for a writ of mandamus is DISMISSED as moot.

BY THE COURT:

/s/ Carolyn Berger  
Justice