

**SUPREME COURT OF ARKANSAS**

No. 09-997

LANCE MITCHELL OWENS  
Petitioner

v.

HON. JOHN R. SCOTT, CIRCUIT  
JUDGE  
Respondent

**Opinion Delivered**      November 5, 2009

PRO SE PETITION FOR WRIT OF  
MANDAMUS [CIRCUIT COURT OF  
BENTON COUNTY, CV 2009-1336]

PETITION MOOT.

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**PER CURIAM**

On September 8, 2009, petitioner Lance Mitchell Owens filed the pro se petition for writ of mandamus that is now before us. He contended in the petition that the Honorable John R. Scott, Circuit Judge, had failed to set a hearing on a pro se petition for writ of mandamus that he had filed in the Circuit Court of Benton County on April 30, 2009.

On September 16, 2009, Judge Scott filed a response to the mandamus petition pending in this court with a copy of an order that he had entered September 2, 2009, appended. In the order, the court dismissed the mandamus action filed in circuit court without prejudice for failure to effect service on the respondent. As the court had already acted on the circuit court petition that was the subject of the mandamus petition by the date it was filed here, the petition in this court is moot.

Petition moot.