

Cite as 2009 Ark. 588

SUPREME COURT OF ARKANSAS

No. CR 09-1154

JOHN CUMMINGS
Petitioner

v.

HON. WILLARD PROCTOR, CIRCUIT
JUDGE
Respondent

Opinion Delivered November 19, 2009

PRO SE PETITION FOR WRIT OF
MANDAMUS [CIRCUIT COURT OF
PULASKI COUNTY, CR 2008-1549]

PETITION MOOT.

PER CURIAM

On October 20, 2009, petitioner John Cummings filed the pro se petition for writ of mandamus that is now before us. He contended in the petition that the Honorable Willard Proctor, Circuit Judge, had failed to act on a petition for postconviction relief pursuant to Criminal Procedure Rule 37.1 that petitioner had filed in the Circuit Court of Pulaski County on November 21, 2008.

On October 23, 2009, Judge Proctor provided this court with a copy of the order that he had entered August 7, 2009, disposing of the Rule 37.1 petition. As the court has acted on the Rule 37.1 petition, the petition for writ of mandamus is moot. *Lenox v. Philhours*, 2009 Ark. 517 (per curiam).

Petition moot.