

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE                   §  
PETITION OF KENNETH T.               §     No. 164, 2008  
DEPUTY FOR A WRIT OF               §     Del. Super., C.A. No. 07C-01-202  
MANDAMUS                               §

Submitted: May 27, 2008  
Decided: August 19, 2008

Before **STEELE**, Chief Justice, **HOLLAND** and **JACOBS**, Justices.

**ORDER**

This 19<sup>th</sup> day of August 2008, it appears to the Court that Kenneth T. Deputy has filed a petition seeking to invoke the original jurisdiction of this Court to issue a writ of mandamus to compel the Superior Court to rule on a motion to compel discovery that Deputy filed in March 2008. The State has filed an answer and motion to dismiss Deputy's petition. A review of the Superior Court docket in Deputy's case reflects that the Superior Court denied Deputy's motion as premature on June 20, 2008. Deputy's petition for a writ of mandamus in this Court is moot.

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

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice