

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE §
PETITION OF JOSEPH § No. 327, 2004
PRYER FOR A WRIT OF §
MANDAMUS §

Submitted: August 17, 2004
Decided: September 17, 2004

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

ORDER

This 17th day of September 2004, this Court has considered Joseph Pryer's petition for a writ of mandamus and the State's answer and motion to dismiss. Pryer filed his petition requesting this Court to issue an extraordinary writ of mandamus directing the Superior Court to act upon his petition for a writ of habeas corpus filed in that court. A review of the Superior Court docket reflects that Pryer's petition for habeas corpus, in fact, was denied on August 2, 2004. Accordingly, Pryer's petition for a writ of mandamus is moot.

NOW, THEREFORE, IT IS ORDERED that Pryer's petition for the issuance of an extraordinary writ of mandamus is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice