

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE PETITION       §  
OF FRANKLIN C. HARVEY FOR A       § No. 56, 2005  
WRIT OF MANDAMUS                   §

Submitted: March 2, 2005

Decided: March 8, 2005

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

**ORDER**

This 8<sup>th</sup> day of March 2005, it appears to the Court that the petitioner, Franklin Harvey, filed a petition for a writ of mandamus seeking to compel the Superior Court to rule on his Motion for Emergency Court Order and/or Declaratory Judgment, which he filed in the Superior Court in October 2004. The record reflects that the Superior Court denied Harvey's motion on February 25, 2005. Consequently, Harvey's 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