

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 12-1121

IN RE: JAMES MORRIS,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Eastern District of Pennsylvania
(Related to E.D. Pa. Crim. No. 05-cr-00440)

Submitted Pursuant to Rule 21, Fed. R. App. P.
January 26, 2012
Before: MCKEE, Chief Judge, ALDISERT and GARTH, Circuit Judges

(Opinion filed: July 27, 2012)

OPINION

PER CURIAM

James Morris petitions this Court for a writ of mandamus compelling the District Court to conduct proceedings related to Morris's motion under Fed. R. Crim. P. 41(g) for the return of currency seized during his arrest.

At the time of the filing of the petition for writ of mandamus in this Court, the District Court had not ruled on Morris's Rule 41(g) motion. However, on February 2, 2012, the District Court dismissed the motion without prejudice to its being re-filed upon the resolution of Morris's pending direct appeal; the District Court also denied Morris's

subsequent motion to reconsider. Therefore, this petition for writ of mandamus will be dismissed as moot.