

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 12-2956

IN RE: STEVEN DINEEN,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the District of Delaware
(Related to Del. Crim. No. 08-cr-00098 and Civ. No. 09-cv-951)

Submitted Pursuant to Rule 21, Fed. R. App. P.
September 20, 2012

Before: McKEE, Chief Judge and ALDISERT and GARTH, Circuit Judges

(Opinion filed: October 2, 2012)

OPINION

PER CURIAM

Steven Dineen filed this *pro se* mandamus petition requesting that we direct the District Court to act on his pending § 2255 motion. Subsequent to that filing, however, the District Court issued an order dismissing the § 2255 motion. Dineen’s request for a writ of mandamus is, therefore, moot. See Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698–99 (3d Cir. 1996) (“If developments occur during the course of adjudication

that . . . prevent a court from being able to grant the requested relief, the case must be dismissed as moot.”); see also In re Austrian, German Holocaust Litigation, 250 F.3d 156, 162-63 (2d Cir. 2001) (mandamus petition requesting that the court of appeals compel district court action generally may be dismissed as moot upon the district court’s entry of a final order).

Accordingly, we will dismiss this petition for writ of mandamus.