

BLD-142

NOT PRECEDENTIALUNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 15-4050

IN RE: DENNEVER LIVINGSTON,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Middle District of Pennsylvania
(Related to M.D. Pa. No. 1-15-cv-00150)

Submitted Pursuant to Rule 21, Fed. R. App. P.
February 11, 2016
Before: FUENTES, KRAUSE and SCIRICA, Circuit Judges

(Filed: February 19, 2016)

OPINION*

PER CURIAM

Pro se petitioner Dennever Livingston, a federal prisoner, filed a petition for a writ of mandamus pursuant to 28 U.S.C. § 1651, seeking an order directing the United States District Court for the Middle District of Pennsylvania to act on his pending petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241. Livingston's petition had originally been filed in the United States District Court for the Eastern District of

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Virginia as a motion to vacate his sentence filed pursuant to 28 U.S.C. § 2255, after which it was transferred to the Middle District of Pennsylvania in January 2015.

On December 29, 2015, the District Court issued an order to show cause directing the government to respond to the habeas petition. The District Court has since granted a motion that Livingston filed seeking to amend his petition, and the government's motion for an extension of time to respond to the petition.

In a letter dated January 21, 2016, Livingston requested that this Court dismiss his petition for mandamus or otherwise dispose of the matter as law and justice require. Because Livingston has now received the relief he sought, we will dismiss the petition as moot.