

HLD-005

**NOT PRECEDENTIAL**UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 17-1129

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IN RE: ELISTON F. GEORGE,  
Petitioner

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On a Petition for Writ of Mandamus from the  
District Court of the Virgin Islands  
(Related to D.V.I. Civ. No. 3-14-cv-00067)

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Submitted Pursuant to Rule 21, Fed. R. App. P.  
February 23, 2017Before: SMITH, CHIEF JUDGE, MCKEE and FUENTES, Circuit Judges

(Opinion filed: May 4, 2017)

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OPINION\*

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## PER CURIAM

Eliston F. George filed a petition for writ of mandamus requesting that we direct the District Court to rule on his petition for a writ of audita querela. The District Court has since ruled on George's petition, and George has filed a notice of appeal. In light of the District Court's action, the question George presented is no longer a live controversy,

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

so we will dismiss his mandamus petition as moot. See, e.g., Lusardi v. Xerox Corp., 975 F.2d 964, 974 (3d Cir. 1992).