

***AMENDED
HLD-008**

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 17-2630

IN RE: DENNIS JACOBS,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the District of New Jersey
(Related to D.N.J. Civ. No. 3-15-cv-04826)

Submitted Pursuant to Rule 21, Fed. R. App. P.
August 24, 2017

Before: SMITH, Chief Judge, MCKEE and RENDELL, Circuit Judges

(Opinion filed: September 28, 2017)

OPINION*

PER CURIAM

Pro se petitioner, Dennis Jacobs, seeks a writ of mandamus to compel the District Court to rule on a motion he filed pursuant to 28 U.S.C. § 2255. In an Opinion and an Order entered on September 15, 2017, the District Court denied the motion and declined to issue Jacobs a certificate of appealability. In light of the District Court's action, this

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

mandamus petition no longer presents a live controversy. Therefore, we will dismiss it as 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 eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.”).

If Jacobs wishes to seek appellate review of the District Court’s adverse decision with respect to his § 2255 motion, he should file his notice of appeal in the District Court within the time period set forth in Fed. R. App. P. 4(a)(1)(B).