

January 7, 2010

UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker  
Clerk of Court

In re:

MICHAEL DOYLE,  
  
Petitioner.

No. 09-1426  
(D.C. No. 1:07-CV-01358-WYD-KMT)  
(D. Colo.)

ORDER

Before **BRISCOE**, **TYMKOVICH**, and **HOLMES**, Circuit Judges.

Michael Doyle has requested a writ of mandamus ordering the district court to decide his pending 28 U.S.C. § 2254 habeas application. This court invited the district court to respond to Mr. Doyle’s petition. On January 6, 2010, the district court responded, stating that Mr. Doyle’s habeas application had been denied and the district-court case dismissed. Accordingly, Mr. Doyle has received the relief he seeks, and this proceeding is **DISMISSED AS MOOT**.

Entered for the Court,



ELISABETH A. SHUMAKER, Clerk