

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 12-3126

IN RE: STEVEN ALLEN SCHWARTZ,

Petitioner

On Petition for Writ of Mandamus from the
United States District Court for the Eastern District of Pennsylvania
(Related to D.C. Criminal Action No. 03-cr-00035-1)

Submitted Pursuant to Rule 21, Fed. R. App. P.
August 30, 2012

Before: AMBRO, JORDAN AND VANASKIE, Circuit Judges

(Opinion filed: September 7, 2012)

OPINION

PER CURIAM

Steven A. Schwartz filed this pro se mandamus petition pursuant to 28 U.S.C. § 1651, seeking an order appointing a “special designee” to rule on an ex parte application that he filed under seal in the District Court on December 2, 2011, because the District Court had not taken action on the application. Subsequent to the filing of this mandamus petition, however, the District Court ruled on the application. Accordingly, Schwartz’s mandamus petition is denied 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 . . . prevent a court from being able to grant the requested relief, the case must be dismissed as moot.”). Schwartz’s motion to file the mandamus petition under seal is granted.