

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 13-4751

IN RE: JOE M. TONEY, JR.,
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. Civ. No. 11-cv-00780)

Submitted Pursuant to Rule 21, Fed. R. App. P.
March 6, 2014

Before: McKEE, Chief Judge, GARTH and SCIRICA, Circuit Judges

(Opinion filed: April 4, 2014)

OPINION

PER CURIAM

Pro se petitioner, Joe Toney, has filed a mandamus petition pursuant to 28 U.S.C. § 1651, wherein he seeks to compel the United States District Court for the Middle District of Pennsylvania to rule on motions for summary action filed by the parties to the underlying civil action. Finding no basis for granting mandamus relief, we will deny the petition.

From a review of the District Court docket, an order disposing of the parties'

summary judgment motions, as well as Toney's motion for default judgment, was entered on March 18, 2014. Accordingly, Toney's petition for writ of mandamus seeking to compel the District Court to dispose of the motions is moot. The petition for a writ of mandamus is thus denied.