

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 05-5516

IN RE: DON RICHARDS
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Virgin Islands
(Related to D.V.I. Civil No. 01-cv-00212)

Submitted Under Rule 21, Fed. R. App. Pro.
January 27, 2006

Before: CHIEF JUDGE SCIRICA, WEIS and GARTH, CIRCUIT JUDGES.

Filed May 16, 2006

OPINION

PER CURIAM.

Don Richards petitions for a writ of mandamus directing the District Court of the Virgin Islands to rule on his pending 28 U.S.C. § 2255 motion to vacate or correct his conviction. As the District Court denied the § 2255 motion on April 26, 2006, we will deny the instant petition as moot.