

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 08-2683

IN RE: ALTON D. BROWN,
Petitioner

On Petition for Writ of Mandamus from the
United States District Court for the Eastern District of Pennsylvania
(Related to Civ. No. 08-cv-00743)

Submitted Pursuant to Rule 21, Fed. R. App. P.
August 29, 2008
Before: SCIRICA, Chief Judge, ALDISERT and GARTH, Circuit Judges

(Filed: October 3, 2008)

OPINION OF THE COURT

PER CURIAM.

Alton Brown, an inmate incarcerated at a Pennsylvania correctional facility, filed a complaint in the Eastern District of Pennsylvania for relief from abuse and harassment by prison staff. He alleged that the staff members retaliated against him for filing various grievances and complaints. Brown also filed a motion for leave to proceed in forma pauperis and a motion requesting a temporary restraining order and a preliminary injunction. His motion for leave to file in forma pauperis was docketed on February 15,

2008, and his “amended” motion for a temporary restraining order and preliminary injunction was docketed on March 18, 2008. On April 10, 2008, he filed a request to the District Court asking it to rule on his motions. Brown then petitioned this Court for a writ of mandamus ordering that the District Court act on his pending motions.¹

The District Court has now entered an order denying with prejudice Brown’s motion for leave to proceed in forma pauperis, and it ordered the Clerk to administratively terminate the action without filing Brown’s amended complaint or other documents. Because the District Court has now provided Brown the relief he sought in his mandamus petition to this Court, *i.e.*, a ruling on his petition for leave to proceed in forma pauperis and other pending motions, we will deny his amended mandamus petition as moot.

¹The Court has the benefit of reviewing Brown’s original and amended petitions for writ of mandamus.