

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 12-3654

IN RE: ROGEL GRANT,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Eastern District of Pennsylvania
(Related to D.C. Crim. No. 2:04-cr-00749-001)

Submitted Pursuant to Rule 21, Fed. R. App. P.
November 8, 2012

Before: SCIRICA, HARDIMAN and GREENAWAY, JR., Circuit Judges

(Opinion filed: November 28, 2012)

OPINION

PER CURIAM

On or around September 17, 2012, federal prisoner Rogel Grant filed a pro se petition for a writ of mandamus, seeking an order from this Court directing the United States District Court for the Eastern District of Pennsylvania to appoint him counsel and rule on two motions that were pending in his 28 U.S.C. § 2255 proceedings. One of those motions sought to stay his § 2255 proceedings, and the other requested reconsideration of the District Court's April 2012 order denying him a new trial.

On September 25, 2012, the District Court entered an order denying the aforementioned motions. That same day, the District Court entered a separate order denying Grant's § 2255 motion and directing the District Court Clerk to close the case. Because Grant has received a ruling on his motions and his § 2255 action is now closed, we will deny his mandamus petition 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.").