

DLD-225

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 23-2124

IN RE: SHAWN D. SHAW
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the District of New Jersey
(Related to D.N.J. Civ. No. 2:19-cv-16702)

Submitted Pursuant to Rule 21, Fed. R. App. P.
September 28, 2023

Before: JORDAN, CHUNG, and SCIRICA, Circuit Judges

(Opinion filed: October 3, 2023)

OPINION*

PER CURIAM

On June 23, 2023, Petitioner Shawn D. Shaw filed a pro se petition for a writ of mandamus asking this Court to order the District Court to act on his 28 U.S.C. § 2255 motion to vacate, set aside, or correct his sentence, which argued three grounds for relief.

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

By order entered May 19, 2022, the District Court denied grounds two and three of the petition, reserving ruling on ground one. By order entered July 24, 2023, the District Court denied ground one of the petition—the sole remaining claim raised by Petitioner’s § 2255 motion—and declined to issue a certificate of appealability.

As Shaw’s mandamus petition no longer presents a live controversy, we will dismiss it 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.”).