

HLD-003

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 23-2960

IN RE: ZEMIRAH MELODY CAROL RUTH EL, Trustee
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Eastern District of Pennsylvania
(Related to E.D. Pa. Civ. No. 2:22-cv-04062)

Submitted Pursuant to Rule 21, Fed. R. App. P.
December 7, 2023

Before: CHAGARES, Chief Judge, SHWARTZ, and RESTREPO, Circuit Judges

(Opinion filed April 8, 2024)

OPINION*

PER CURIAM

On November 6, 2023, Petitioner Zemirah El filed a pro se petition for a writ of mandamus asking this Court to order the District Court to act on her second request for default judgment against Respondent. We will deny the Petition.

By order entered January 11, 2023, the District Court denied Petitioner's first motion for default judgment and referred the request to the Clerk of Court for the Eastern

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

District of Pennsylvania. Respondent appeared and filed a motion to dismiss Petitioner's complaint on January 18, 2023. Thereafter, Petitioner filed a second motion for default judgment on January 27, 2023, that Respondent filed a response in opposition to on March 23, 2023. Petitioner subsequently filed documents in support of the second motion for default judgment, including requests to expedite a ruling on the same. On December 14, 2023, the District Court granted Respondent's motion to dismiss Petitioner's complaint and denied Petitioner's second motion for default judgment.

As Petitioner'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.").