CLD-251 **NOT PRECEDENTIAL**

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 14-1181

IN RE: DERRICK JOHNSON,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Middle District of Pennsylvania
(Related to Civ. No. 3-13-cv-02184)

Submitted Pursuant to Rule 21, Fed. R. App. P.
May 8, 2014
Before: FUENTES, JORDAN and SHWARTZ, Circuit Judges

(Opinion filed: May 15, 2014)

OPINION

PER CURIAM

Derrick Johnson, proceeding pro se, seeks a writ of mandamus directing the United States District Court for the Middle District of Pennsylvania to rule on a motion to compel discovery and motions for reconsideration. For the reasons that follow, we will deny the mandamus petition.

In 2007, Johnson was convicted of bank robbery in the United States District Court for the Northern District of Texas. He was sentenced to 115 months of

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imprisonment. Thereafter, Johnson unsuccessfully sought relief under 28 U.S.C. § 2255 and through applications to file successive § 2255 motions.

In August 2013, Johnson filed a petition under 28 U.S.C. § 2241 in the United States District Court for the Middle District of Pennsylvania, where he is currently incarcerated. By order entered September 24, 2013, the District Court dismissed the petition for lack of jurisdiction, concluding that § 2255 was not inadequate or ineffective to test his ineffective assistance of counsel claims. Over the next three months, Johnson filed several motions in the District Court, including a motion to compel discovery and motions for reconsideration under Federal Rule of Civil Procedure 59(e).

While those motions were pending, Johnson filed the present mandamus petition in this Court, seeking "to mandate the legal disposition of his motion[s] under Rule 59(e) and the motion to compel." By order entered April 15, 2014, the District Court denied Johnson's outstanding motions. Accordingly, we will deny the mandamus petition as moot.