

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

November 4, 2014

Elisabeth A. Shumaker
Clerk of Court

In re: CHAD ALLEN BEERS,

No. 14-3219

Petitioner.

ORDER

This matter is before the Court *sua sponte*. On October 10, 2014, Petitioner filed his Petition for Writ of Mandamus wherein he sought “a Court order compelling the district court to make a decision on the merits of [his] 59(e) motion because the district court’s failure to rule on this issue is preventing [him] from appealing” the underlying district court judgment denying his habeas corpus petition. On October 15, 2014, the district court entered its order denying Petitioner’s Fed. R. Civ. P. 59(e) motion, and on October 31, 2014, Petitioner filed an appeal of that denial and the underlying district court judgment.

In light of the foregoing, Petitioner’s Petition for Writ of Mandamus is denied as moot, and this case is dismissed.

Entered for the Court,

ELISABETH A. SHUMAKER, Clerk



by: Chris Wolpert
Chief Deputy Clerk