

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

August 7, 2024

**Christopher M. Wolpert
Clerk of Court**

In re: MIGUEL ANGEL AGUILAR
PLASCENCIA,

Petitioner.

No. 24-6156
(D.C. Nos. 5:22-CV-01070-SLP &
5:21-CR-00144-SLP-1)
(W.D. Okla.)

ORDER

Before **MORITZ, EBEL**, and **CARSON**, Circuit Judges.

Miguel Angel Aguilar Plascencia filed a petition for a writ of mandamus, seeking an order from this court directing the district court to rule on his pending 28 U.S.C. § 2255 motion. He also asked for a judge other than Judge Scott L. Palk to rule on the motion. We invited the district court to respond to the mandamus petition.

On August 5, 2024, the district court entered an order denying Mr. Aguilar Plascencia's § 2255 motion. He has therefore received the primary relief he sought in his mandamus petition and that portion of his petition is now moot.

Mr. Aguilar Plascencia did not explain in his mandamus petition why a judge other than Judge Palk should be required to rule on his motion. He therefore did not establish his entitlement to mandamus relief on that portion of his petition.

Accordingly, the mandamus petition is denied in part and dismissed as moot in part.

Entered for the Court

A handwritten signature in black ink, appearing to read 'Christopher M. Wolpert', written in a cursive style.

CHRISTOPHER M. WOLPERT, Clerk