

Cite as 2010 Ark. 215

SUPREME COURT OF ARKANSAS

No. CR 09-864

DEANDRA STEPHENSON
Petitioner

v.

CIRCUIT JUDGE MARION
HUMPHREY
Respondent

Opinion Delivered May 6, 2010

PRO SE PETITION FOR WRIT OF
MANDAMUS [CIRCUIT COURT OF
PULASKI COUNTY, CR 2006-3914]

PETITION MOOT.

PER CURIAM

On July 30, 2009, petitioner Deandra Stephenson filed a pro se petition for writ of mandamus in this court. He contended in the petition that the Honorable Marion Humphrey, Circuit Judge, had failed to act in a timely manner on a pro se motion for scientific testing of evidence and a petition for postconviction relief pursuant to Arkansas Rule of Criminal Procedure 37.1 (2009), both of which were filed on May 29, 2008, in the Circuit Court of Pulaski County.

Respondent Humphrey filed a response to the mandamus petition, advising this court that an evidentiary hearing had been scheduled on the pleadings for August 31, 2009. On October 5, 2009, respondent filed a supplemental response in which he said that petitioner had appeared at the August 31, 2009 hearing, and that at his request, the hearing was continued until November 23, 2009. On March 18, 2010, respondent filed a supplemental

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response, informing this court that petitioner had sought, and been granted, leave to continue the evidentiary hearing to February 12, 2010. The hearing was held on February 12, 2010, and, on March 5, 2010, respondent entered an order disposing of the Rule 37.1 petition. On April 7, 2010, an order was entered on the motion for scientific testing denying the relief sought. As the court has acted on the petition and motion, the petition for writ of mandamus is moot. *White v. Glover*, 2010 Ark. 166 (per curiam); *Camp v. Yeargan*, 2010 Ark. 160 (per curiam); *Strong v. Thyer*, 2010 Ark. 19 (per curiam); *Cummings v. Proctor*, 2009 Ark. 588 (per curiam).

Petition moot.