

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1336

In Re: KEEBLE ANTHONY HAWTHORNE,

Petitioner.

On Petition for Writ of Mandamus.
(3:05-cr-00294-REP-1; 3:06-cv-00286-REP)

Submitted: October 22, 2008

Decided: December 8, 2008

Before WILKINSON, NIEMEYER, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Keeble Anthony Hawthorne, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Keeble Anthony Hawthorne petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2255 (2000) motion. He seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court denied relief on Hawthorne's § 2255 motion on August 14, 2008. Accordingly, because the district court has recently decided Hawthorne's case, we deny the mandamus petition as moot. We grant leave to proceed in forma pauperis. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED