

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-7253

In Re: CALVIN WINBUSH, a/k/a Good Game,
Petitioner.

On Petition for Writ of Mandamus.
(3:12-cr-00021-HEH-1; 3:14-cv-00724-HEH-RCY)

Submitted: February 7, 2017 Decided: February 16, 2017

Before KEENAN, WYNN, and DIAZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Calvin Winbush, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Calvin Winbush petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2255 (2012) motion. He seeks an order from this court directing the district court to act. Our review of the district court's docket reveals that the district court ruled on the § 2255 motion, denying it and declining to grant a certificate of appealability. See United States v. Winbush, No. 3:12-cr-00021-HEH-RCY-1 (E.D. Va. Sept. 21, 2016). Winbush's appeal of that order is pending in this court. See United States v. Winbush, No. 16-7527 (4th Cir.) (docketed Nov. 2, 2016). Accordingly, because the district court has recently decided Winbush'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 this court and argument would not aid the decisional process.

PETITION DENIED