

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-2456

In re: ROGER D. BURRESS,

Petitioner.

On Petition for Writ of Mandamus. (2:03-cr-00024-1)

Submitted: February 15, 2018

Decided: February 16, 2018

Before WILKINSON, FLOYD, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Roger D. Burress, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roger D. Burress petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his pro se motion for resentencing under *Johnson v. United States*, 135 S. Ct. 2551 (2015), and his authorized successive 28 U.S.C. § 2255 (2012) motion seeking *Johnson* relief. Burress 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 granted Burress' successive § 2255 motion by order entered January 19, 2018, denied his pro se motion as moot, reduced his terms of imprisonment and supervised release, and ordered him subject to immediate release. Burress was released from imprisonment on January 22, 2018. Accordingly, because the district court has recently decided Burress' 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