

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-8000

In Re: EMMETT MADISON GRAHAM, JR.,

Petitioner.

On Petition for Writ of Mandamus.
(No. 2:05-cv-00089-REM)

Submitted: March 22, 2007

Decided: March 29, 2007

Before WIDENER and WILKINSON, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Emmett Madison Graham, Jr., Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Emmett Madison Graham, Jr., petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his complaint filed pursuant to Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971). He seeks an order from this court directing the district court to act. We find there has been no undue delay in the district court. Accordingly, although we grant leave to proceed in forma pauperis, and grant Graham's motion to amend his petition, we deny the mandamus petition. 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