

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-2186

In Re: DAVID HALL CRUM,

Petitioner.

On Petition for Writ of Mandamus. (5:04-cv-00983)

No. 08-6387

DAVID HALL CRUM,

Plaintiff - Appellant,

v.

ATTORNEY GENERAL OF THE UNITED STATES; MICHAEL B. MUKASEY,
Attorney General; BUREAU OF PRISONS, The Director; HARLEY G.
LAPPIN,

Defendants - Appellees.

Appeal from the United States District Court for the Southern
District of West Virginia, at Beckley. Thomas E. Johnston,
District Judge. (5:04-cv-00983)

Submitted: June 10, 2008

Decided: June 20, 2008

Before NIEMEYER, MICHAEL, and GREGORY, Circuit Judges.

No. 07-2186 petition denied; No. 08-6387 affirmed by unpublished per curiam opinion.

David Hall Crum, Petitioner/Appellant Pro Se. Stephen Michael Horn, Assistant United States Attorney, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

These consolidated cases pertain to federal prisoner David Hall Crum. In No. 07-2186, Crum petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his Fed. R. Civ. P. 59(e) motion seeking reconsideration of the order denying his consolidated 28 U.S.C. § 2241 (2000) petitions. He requests an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court issued an order on February 29, 2008, denying Crum's motion for reconsideration. Accordingly, although we grant Crum leave to proceed in forma pauperis, we deny as moot both the mandamus petition and Crum's motion to expedite.

In No. 08-6387, Crum appeals the district court's orders adopting the magistrate judge's recommendation and denying relief on the § 2241 petitions and denying Crum's Rule 59(e) motion. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Crum v. Attorney General of the United States, No. 5:04-cv-00983 (S.D. W. Va. Mar. 13, 2007 & Feb. 29, 2008). We deny as moot Crum's motions to expedite and for bail pending appeal.

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.

No. 07-2186 PETITION DENIED
No. 08-6387 AFFIRMED