

Filed: December 13, 2007

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-4684

In Re: RAYFORD KNIGHT, a/k/a Cherokee, a/k/a
Chief,

Petitioner.

O R D E R

Rayford Knight filed a petition for rehearing on the denial of his mandamus petition. The Court denies the petition for rehearing.

We note, however, that the opinion filed November 2, 2007, is corrected by replacing "October 2007" with "October 2006" on line two, page two, and line four, footnote *, page two.

For the Court

/s/ Patricia S. Connor
Clerk

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-4684

In Re: RAYFORD KNIGHT, a/k/a Cherokee, a/k/a
Chief,

Petitioner.

On Petition for Writ of Mandamus. (1:93-cr-00022-BEL)

Submitted: October 24, 2007

Decided: November 2, 2007

Before NIEMEYER, GREGORY, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Rayford Knight, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rayford Knight petitions for a writ of mandamus, alleging the district court has unduly delayed acting on an October 2006 motion filed in his criminal case.* He seeks an order from this court directing the district court to act. Our review of the district court docket sheet reveals that the district court denied the motion in April 2007. Accordingly, because the district court has already acted on Knight's motion, we deny the mandamus petition as moot. We grant Knight's motion 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

*Although Knight characterizes his district court pleading as a motion for release from illegal imprisonment, our review of the district court docket sheet reveals that the only motion filed by Knight in October 2006 was a motion for return of property and that there is no motion for release pending in the district court.