

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-6230**

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In Re: LYNN A. PALMER,

Petitioner.

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On Petition for Writ of Mandamus. (5:05-cv-01176)

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Submitted: October 29, 2007

Decided: December 3, 2007

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Before NIEMEYER and MICHAEL, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Lynn A. Palmer, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lynn A. Palmer petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his habeas petition brought pursuant to 28 U.S.C. § 2241 (2000). Palmer seeks an order from this court directing the district court to act.

In August 2007, we ordered the Government to file a response to Palmer's petition. Our review of the district court's docket reveals that, in the interim period between the Government's submission of its response and our adjudication of the petition, Palmer moved in the district court to withdraw his § 2241 petition. The district court recently granted Palmer's motion and dismissed his § 2241 petition with prejudice. Accordingly, the instant mandamus petition is now moot and we deny it as such. 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