

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6514

In Re: JANISON VEAL, a/k/a Jason,

Petitioner.

On Petition for Writ of Mandamus.
(3:02-cr-00043)

Submitted: June 21, 2007

Decided: June 29, 2007

Before NIEMEYER, WILLIAMS, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Janison Veal, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Janison Veal petitions for a writ of mandamus, alleging the district court has unduly delayed in acting on the magistrate judge's report and recommendation issued on September 29, 2006, relative to Veal's motion filed pursuant to 28 U.S.C. § 2255 (2000). Veal seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court since has filed its order adopting the report and recommendation of the magistrate judge, and granting in part Veal's § 2255 motion. Accordingly, because the district court has acted in Veal's 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 the court and argument would not aid the decisional process.

PETITION DENIED