

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6707

In Re: SHANNON SABB,

Petitioner.

On Petition for Writ of Mandamus. (9:06-cv-01943)

Submitted: October 24, 2007

Decided: November 6, 2007

Before WILKINSON, TRAXLER, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Shannon Sabb, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shannon Sabb petitions for a writ of mandamus, alleging that the magistrate judge has unduly delayed acting on his 28 U.S.C. § 2254 (2000) petition. He seeks an order from this court directing the magistrate judge to act. Our review of the district court docket report reveals that the magistrate judge has issued a report and recommendation and that the district court has adopted the magistrate judge's recommendation and dismissed Sabb's § 2254 petition. Accordingly, because Sabb has obtained the relief he sought, 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