

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1062

In Re: JUSTIN CLAY BEAVER,

Petitioner.

On Petition for Writ of Mandamus.
(1:07-cv-00305-CGM)

Submitted: March 27, 2008

Decided: April 4, 2008

Before TRAXLER and DUNCAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Justin Clay Beaver, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Justin Clay Beaver petitions for writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2254 (2000) petition. He seeks an order from this court directing the district court to act. The district court dismissed Beaver's § 2254 petition by order entered October 9, 2007. Therefore, although we grant leave to proceed in forma pauperis, we deny the mandamus petition as moot. 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