

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1280

In Re: CLAIR LOVERIDGE,

Petitioner.

On Petition for Writ of Mandamus.
(1:03-cr-00063-IMK-1; 1:06-cv-00006-IMK-JSK)

Submitted: May 22, 2008

Decided: May 28, 2008

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

Petition denied by unpublished per curiam opinion.

Clair Loveridge, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clair Loveridge petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2255 (2000) motion. He seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court recently issued an order adopting in part and vacating in part the magistrate judge's recommendation on Loveridge's § 2255 motion and remanding for further consideration. Because the district court has recently acted on the motion, 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