

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-1455**

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In Re: TITO LEMONT KNOX,  
  
Petitioner.

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On Petition for Writ of Mandamus. (9:07-cv-01792-HMH-GCK)

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Submitted: July 8, 2008 Decided: August 5, 2008

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Before NIEMEYER, MOTZ, and DUNCAN, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Tito Lemont Knox, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tito Lemont Knox petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his petition filed under 28 U.S.C. § 2241 (2000). He seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court accepted the magistrate judge's recommendation and dismissed Knox's § 2241 petition. Accordingly, because the district court recently has decided Knox'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