

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-1167**

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In Re: MITCHELL GATEWOOD,  
  
Petitioner.

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On Petition for Writ of Mandamus. (3:08-cv-00182-RJC)

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Submitted: September 29, 2010                      Decided: November 16, 2010

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Before NIEMEYER, GREGORY, and KEENAN, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Mitchell Gatewood, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mitchell Gatewood petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C.A. § 2255 (West Supp. 2010) motion. He seeks an order from this court directing the district court to act. Our review of the district court's docket reveals that, on September 13, 2010, the district court entered an order denying relief on Gatewood's § 2255 motion. Accordingly, because the district court has recently decided Gatewood'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