

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-2026**

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In Re: TERRY JACKSON BENNETT,

Petitioner.

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On Petition for Writ of Mandamus.  
(3:04-cr-00315-RJC-1; 3:08-cv-00410-RJC)

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Submitted: December 16, 2010

Decided: December 22, 2010

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Before GREGORY, DUNCAN, and DAVIS, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Terry Jackson Bennett, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Terry Jackson Bennett 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 the district court has denied Bennett's § 2255 motion. Accordingly, because the district court has recently decided Bennett'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