

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-1033**

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In Re: THOMAS FRANKLIN CROSS, JR.,  
Petitioner.

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On Petition for Writ of Mandamus. (5:10-hc-02250-D)

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Submitted: February 24, 2011 Decided: March 3, 2011

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Before GREGORY, SHEDD, and KEENAN, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Thomas Franklin Cross, Jr., Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Thomas Franklin Cross, Jr., petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2254 (2006) petition. He seeks an order from this court directing the district court to act. We find there has been no undue delay in the district court. Accordingly, although we grant leave to proceed in forma pauperis, we deny the mandamus petition. 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