

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1744

In Re: BILLY RAY MCKOY,

Petitioner.

On Petition for Writ of Mandamus.
(5:12-hc-02020-D)

Submitted: August 9, 2012

Decided: August 23, 2012

Before MOTZ, KING, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Billy Ray McKoy, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Billy Ray McKoy petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his habeas petition. He seeks an order from this court directing the district court to act. Although we find that mandamus relief is not warranted because the delay is not unreasonable, we deny the mandamus petition without prejudice to the filing of another mandamus petition if the district court does not act expeditiously. 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