

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1864

In Re: HENRY JONES,

Petitioner.

On Petition for Writ of Mandamus.
(1:92-cr-00301-WDQ-2)

Submitted: October 10, 2012

Decided: October 17, 2012

Before MOTZ, SHEDD, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Henry Jones, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Henry Jones petitions for a writ of mandamus, alleging the district court has unduly delayed acting on what he captioned as a "Motion to Reopen in Light of "Simmons"". Jones 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 recently dismissed Jones' motion. Accordingly, because the district court has decided Jones' case, we deny the mandamus petition as moot. Further, to the extent that Jones seeks to challenge the district court's disposition of his previous motions seeking relief from his conviction or sentence, mandamus is not the proper vehicle for such claims. See In re United Steelworkers, 595 F.2d 958, 960 (4th Cir. 1979). 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