

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

No. 12-2550

In Re: JERRY LYNN HIGH,  
Petitioner

On Petition for Writ of Mandamus.  
(2:89-cr-00025-SB-1)

Submitted: February 28, 2013 Decided: March 11, 2013

Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Jerry Lynn High, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jerry Lynn High petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his motion to set aside the criminal judgment. 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 denied the motion on February 25, 2013. Accordingly, because the district court decided the motion, we deny the mandamus petition as moot. We grant High leave to proceed in forma pauperis. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED