

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1428

In re: CHARLES ELLIS,

Petitioner.

On Petition for Writ of Mandamus
(No. 6:06-cr-00037-1)

Submitted: July 10, 2013

Decided: August 1, 2013

Before MOTZ, WYNN, and DIAZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Charles Ellis, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles Ellis petitions for a writ of mandamus, alleging that the district court has unduly delayed in ruling on his motion to amend his 28 U.S.C.A. § 2255 (West Supp. 2013) motion and motion to reconsider its order denying his Fed. R. Civ. P. 59(e) and 52(b) motions for reconsideration. He seeks an order from this court directing the district court to act. We find the present record does not reveal undue delay in the district court.* Accordingly, we grant leave to proceed in forma pauperis and deny the mandamus petition. 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

* We note that Ellis filed the pending motions on the same day that he noted appeals from related orders. We adjudicated these appeals and the mandate issued on May 8, 2013.