

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 15-2167**

---

In Re: TERRY DONNELL JOHNSON, a/k/a Little Terry,  
Petitioner.

---

On Petition for Writ of Mandamus.  
(3:08-cv-00484-RJC)

---

Submitted: March 29, 2016

Decided: April 13, 2016

---

Before MOTZ, GREGORY, and DIAZ, Circuit Judges.

---

Petition dismissed by unpublished per curiam opinion.

---

Terry Donnell Johnson, Petitioner Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Terry Johnson petitions this court for a writ of mandamus, seeking an order directing the district court to rule on a motion to reopen his 28 U.S.C. § 2255 (2012) motion. District court records disclose that Johnson's motion was construed as a separate § 2255 motion to which the court assigned a different docket number (No. 3:15-cv-466-RJC). In an order entered on October 8, 2015, the court observed that the second § 2255 motion was successive and unauthorized, construed the motion as a 28 U.S.C. § 2241 (2012) motion, and transferred the matter to the Middle District of Florida, where Johnson is incarcerated.

Because the district court has acted on Johnson's motion to reopen, we deny leave to proceed in forma pauperis and dismiss the mandamus petition as moot. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before us and argument would not aid the decisional process.

PETITION DISMISSED