

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 16-2253**

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In re: MICHAEL S. GORBHEY, a/k/a Michael S. Owlfeather-Gorbey,

Petitioner.

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On Petition for Writ of Mandamus. (7:16-cv-00372-NKM-RSB)

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Submitted: March 30, 2017

Decided: April 3, 2017

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Before TRAXLER and WYNN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Michael S. Gorbey, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Michael S. Gorbey petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2241 (2012) petition. 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 entered an order on October 28, 2016, dismissing without prejudice Gorbey's § 2241 petition. Accordingly, because the district court has recently decided Gorbey's case, we deny the mandamus petition as moot. 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 this court and argument would not aid the decisional process.

*PETITION DENIED*