

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1741

In re: DAVID WILBERT SHANTON, SR.,

Petitioner.

On Petition for Writ of Mandamus. (1:08-cr-00142-CCB-1; 1:14-cv-03194-CCB)

Submitted: August 24, 2017

Decided: August 28, 2017

Before GREGORY, Chief Judge, and SHEDD and DIAZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

David Wilbert Shanton, Sr., Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Wilbert Shanton, Sr., petitions for a writ of mandamus, alleging that the district court has unduly delayed in ruling on his 28 U.S.C. § 2255 (2012) motion. 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