

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-2285

In re: SEAN F. MESCALL,

Petitioner.

On Petition for Writ of Mandamus. (3:12-cr-00215-RJC-1; 3:17-cv-00202-RJC)

Submitted: November 27, 2017

Decided: December 18, 2017

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

Petition denied by unpublished per curiam opinion.

Sean F. Mescall, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sean Mescall petitions for a writ of mandamus, alleging that the district court has unduly delayed ordering the United States to respond to his 28 U.S.C. § 2255 (2012) motion. He seeks an order from this court directing the district court to act. We conclude that the present record does not disclose undue delay in the district court. Accordingly, although we grant leave to proceed in forma pauperis, we deny the mandamus petition. 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 DENIED