

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 18-1007**

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In re: HENRY EARL MILLER, a/k/a Stef, a/k/a Stefan,

Petitioner.

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On Petition for Writ of Mandamus.  
(6:04-cr-00022-JMC-3; 6:17-cv-00805-JMC)

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Submitted: February 22, 2018

Decided: February 27, 2018

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

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Petition denied by unpublished per curiam opinion.

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Henry Earl Miller, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Henry Earl Miller petitions for a writ of mandamus, alleging that the district court has unduly delayed in ruling on his successive 28 U.S.C. § 2255 (2012) motion and motion for bond pending resolution of his habeas 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*