

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 18-1408

In re: THOMAS LAGENE FRANKLIN,

Petitioner.

On Petition for Writ of Mandamus. (3:06-cr-00007-RJC-1)

Submitted: August 10, 2018

Decided: August 20, 2018

Before DIAZ and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Thomas Lagene Franklin, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Thomas Lagene Franklin petitions for a writ of mandamus, alleging that the district court has unduly delayed acting on his authorized, successive 28 U.S.C. § 2255 (2012) motion. Franklin seeks an order from this court directing the district court to act. Our review of the district court's docket reveals that, by order and judgment entered on June 22, 2018, the district court denied Franklin's § 2255 motion. Accordingly, because the district court recently decided Franklin's motion, we deny the mandamus petition as moot. We grant Franklin 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