

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 18-1429**

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In re: CHRISTOPHER STEVE GANNAWAY,

Petitioner.

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On Petition for Writ of Mandamus. (1:09-cr-00418-NCT-1; 1:11-cv-01055-NCT-JEP)

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Submitted: November 27, 2018

Decided: December 20, 2018

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

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Petition denied by unpublished per curiam opinion.

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Christopher Steve Gannaway, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Christopher Steve Gannaway petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2255 (2012) motion. 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 granted Gannaway's motion in part on November 13, 2018, and scheduled a resentencing hearing for December 18. Accordingly, because the district court has recently acted upon Gannaway's motion, 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*