

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1660

In re: ROGER WAYNE JONES, III,

Petitioner.

On Petition for Writ of Mandamus. (1:14-cr-00037-WO-1; 1:16-cv-00655-WO-LPA)

Submitted: September 18, 2018

Decided: October 26, 2018

Before NIEMEYER, AGEE, and HARRIS, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Roger Wayne Jones, III, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roger Wayne Jones, III, 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. Our review of the district court's docket reveals the magistrate judge has recently issued an order and recommendation regarding Jones's § 2255 motion. Accordingly, because the magistrate has acted in Jones's case, 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