

UNPUBLISHED

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

No. 18-2322

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

Petitioner.

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

Submitted: December 18, 2018

Decided: December 20, 2018

Before AGEE, THACKER, and HARRIS, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Henry Earl Miller, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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 motion for reconsideration of the district court's order denying relief on Miller's 28 U.S.C. § 2255 (2012) 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 also deny Miller's motion to answer a jurisdictional question. 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