

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-1680**

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In re: JAMES K. BURKS, JR., a/k/a Howard Theodore Wright, a/k/a Nathan King,  
a/k/a Derrick Baxter, a/k/a Marcus Allen, a/k/a Martin Wilson, a/k/a Marcus  
Williams,

Petitioner.

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On Petition for Writ of Mandamus. (1:93-cr-00460-CMH-1)

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Submitted: October 17, 2019

Decided: October 21, 2019

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Before MOTZ and QUATTLEBAUM, Circuit Judges, and HAMILTON, Senior Circuit  
Judge.

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Petition denied by unpublished per curiam opinion.

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James K. Burks, Jr., Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James K. Burks, Jr., petitions for a writ of mandamus, alleging that the district court has unduly delayed in ruling on his Fed. R. Civ. P. 60(b) 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*