

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-2474

In re: JAMES EDWARD TYER, a/k/a James Edward Tyler, a/k/a Tyer Edward James, a/k/a Jay,

Petitioner.

On Petition for Writ of Mandamus. (1:08-cr-00043-CMH-2)

Submitted: May 12, 2020

Decided: May 19, 2020

Before NIEMEYER and AGEE, Circuit Judges, and SHEDD, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

James Edward Tyer, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Edward Tyer petitions for a writ of mandamus, alleging unreasonable delay by the district court in acting on his letter requesting a sentence reduction. The district court's docket reflects that the court issued an order on March 25, 2020, construing Tyer's letter as a motion challenging his conviction violating 18 U.S.C. § 924(c) (2018) and directing the Government to file an answer to the motion within 23 days. In light of the district court's recent action, we hold that there has been no unreasonable delay, and we deny Tyer's mandamus petition and corrected 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