

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6975

In Re: PETER ANDREW GALLO,

Petitioner.

On Petition for Writ of Mandamus. (CA-99-40-ALL)

Submitted: December 13, 2002

Decided: January 8, 2003

Before WILKINS, NIEMEYER, and WILLIAMS, Circuit Judges.

Petition dismissed by unpublished per curiam opinion.

Peter Andrew Gallo, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Peter Andrew Gallo petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2255 (2000) motion. He seeks an order from this court directing the district court to act. The district court entered an order denying relief on Gallo's § 2255 motion on December 11, 2002. Accordingly, because the district court has recently decided Gallo's case, we dismiss 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 the court and argument would not aid the decisional process.

PETITION DISMISSED