

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6219

In Re: GEORGE BOYD STONE,

Petitioner.

On Petition for Writ of Mandamus. (CR-93-3)

Submitted: May 29, 2003

Decided: June 4, 2003

Before WILKINSON, MICHAEL, and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

George Boyd Stone, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

George Boyd Stone filed this petition for a writ of mandamus seeking to have this court direct the district court to act on his motion to preserve evidence. Stone's motion was filed in the district court on September 16, 2002. His mandamus petition was dated January 29, 2003, and filed February 4. Because Stone's motion had been pending for less than five months, we find no unreasonable delay. Accordingly, although we grant Stone's motion for leave to proceed in forma pauperis, we deny mandamus relief. 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 DENIED