

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-7858

IN RE: ANDREW MENICHINO,

Petitioner.

On Petition for Writ of Mandamus.
(CA-04-1476)

Submitted: February 24, 2005

Decided: March 9, 2005

Before NIEMEYER, WILLIAMS, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Andrew Menichino, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Andrew Menichino petitions for writ of mandamus, alleging the district court has unduly delayed acting on a petition that he filed pursuant to 28 U.S.C. § 2241 (2000). He seeks an order from this court directing the district court to act. Although we find that mandamus relief is not warranted because the delay is not unreasonable, we deny the mandamus petition without prejudice to the filing of another mandamus petition if the district court does not act expeditiously. 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