

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-7922

In Re: ARTHUR LEE HAIRSTON, SR.,

Petitioner.

On Petition for Writ of Mandamus
(CR-00-24; CA-03-70-3)

Submitted: September 27, 2005 Decided: September 29, 2005

Before LUTTIG, MOTZ, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Arthur Lee Hairston, Sr., Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Arthur Lee Hairston, Sr., filed a petition for writ of mandamus seeking an order requiring the district court to process his notice of appeal. However, the appeal in question is proceeding and is currently pending in this court. Accordingly, although we grant permission to proceed in forma pauperis, we deny the mandamus petition as moot. 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