

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-7935

In Re: WENDELL EDWARD BETANCOURT,

Petitioner.

On Petition for Writ of Mandamus. (CR-01-25)

Submitted: March 25, 2005

Decided: April 12, 2005

Before NIEMEYER, TRAXLER, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Wendell Edward Betancourt, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Wendell Edward Betancourt petitions for writ of mandamus, alleging the district court has unduly delayed acting on his motion for recusal. He seeks an order from this court directing the district court to act. The district court denied Betancourt's motion for recusal on December 13, 2004. Accordingly, because the district court has acted on Betancourt's motion, we deny his 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 DENIED