

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7449

In Re: JOHN MARK JOHNSON,

Petitioner.

On Petition for Writ of Mandamus.
(CA-04-21-1)

Submitted: March 10, 2006

Decided: April 3, 2006

Before NIEMEYER and KING, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

John Mark Johnson, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John Mark Johnson petitions for writ of mandamus, alleging the district court has unduly delayed acting on his motion filed pursuant to 28 U.S.C. § 2255 (2000). He seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court has now reviewed Johnson's § 2255 motion and entered a final judgment. Accordingly, because the district court has recently decided Johnson's case, we deny the mandamus petition as moot. We grant Johnson's motion for 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