

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-6032

In Re: HAYWARD LEON ROGERS,

Petitioner.

On Petition for Writ of Mandamus.
(CA-05-1555)

Submitted: April 27, 2006

Decided: May 5, 2006

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

Petition denied by unpublished per curiam opinion.

Hayward Leon Rogers, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Hayward Leon Rogers petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2254 (2000) petition. He seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court dismissed Rogers' § 2254 petition without prejudice on February 28, 2006. Accordingly, because the district court has recently decided Rogers' case, 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