

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-6726

In Re: ANDRE KEBE,

Petitioner.

On Petition for Writ of Mandamus.
(8:97-cr-00357)

Submitted: July 17, 2006

Decided: July 31, 2006

Before NIEMEYER, MICHAEL, and MOTZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Andre Kebe, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Andre Kebe petitions for writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2255 (2000) motion. He seeks release from imprisonment based on the delay. After Kebe filed the instant mandamus petition, the district court ruled on his § 2255 motion. Accordingly, 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. The motion for appointment of counsel is denied.

PETITION DENIED