

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 07-7153

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In Re: STEPHEN LUCI,

Petitioner.

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On Petition for Writ of Mandamus. (3:07-cv-00011-REM)

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Submitted: August 30, 2007

Decided: September 11, 2007

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Before MICHAEL, KING, and SHEDD, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Stephen Luci, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Stephen Luci 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 on August 8, 2007, the district court directed the Respondent to file an answer to the petition. Because there has been recent significant action in Luci's case, we conclude there has been no undue delay. Accordingly, although we grant leave to proceed in forma pauperis, we deny the petition. 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