

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-7416

In Re: NORMAN TYRONE DAIS,
Petitioner.

On Petition for Writ of Mandamus. (4:06-cv-70005-TLW)

Submitted: March 26, 2008

Decided: April 3, 2008

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

Petition denied by unpublished per curiam opinion.

Norman Tyrone Dais, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Norman Tyrone Dais petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2255 (2000) motion. He seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court recently has acted in Dais' case and the case is proceeding. Accordingly, although we grant leave to proceed in forma pauperis, we deny the mandamus petition. We also deny as interlocutory Dais' motion to vacate the district court's order of January 4, 2008. 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