

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1012

In Re: WILLIAM HENRY COLEMAN,

Petitioner.

On Petition for Writ of Mandamus.
(3:96-cr-00010-TWB-1)

No. 08-6074

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WILLIAM HENRY COLEMAN,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Graham C. Mullen, Senior
District Judge. (3:96-cr-00010-TWB-1, 3:07-cv-00346-GCM)

Submitted: April 17, 2008

Decided: April 23, 2008

Before WILKINSON, NIEMEYER, and MICHAEL, Circuit Judges.

No. 08-1012 petition denied; No. 08-6074 affirmed by unpublished per curiam opinion.

William Henry Coleman, Petitioner/Appellant Pro Se. Marlene Yvette Bishop, OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In No. 08-6074, William Henry Coleman appeals the district court's orders denying his petition for a writ of audita querela and denying his subsequent motion for reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Coleman, Nos. 3:96-cr-00010-TWB-1; 3:07-cv-00346-GCM (W.D.N.C. Dec. 10, 2007 & Jan. 2, 2008).

In No. 08-1012, which has been consolidated with the above case, Coleman petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his petition for a writ of audita querela. He seeks an order from this court directing the district court to act. Because the district court recently denied Coleman's petition, we deny the mandamus petition as moot. We grant 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.

No. 08-1012 PETITION DENIED
No. 08-6074 AFFIRMED