

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 10-1815**

---

In Re: CLEVELAND MCLEAN, JR.,

Petitioner.

---

On Petition for Writ of Mandamus.  
(2:90-cr-00105; 2:08-cv-00588)

---

Submitted: February 10, 2011

Decided: February 16, 2011

---

Before WILKINSON and DAVIS, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

---

Petition denied by unpublished per curiam opinion.

---

Cleveland McLean, Jr., Petitioner Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cleveland McLean, Jr., petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 18 U.S.C. § 3582 (2006) motion. He seeks an order from this court directing the district court to act. Our review of the district court's docket reveals that, on September 13, 2010, the district court denied McLean's § 3582 motion. Accordingly, because the district court has recently decided McLean's case, 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.

PETITION DENIED