

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1976

In Re: YUESEYUAN CRUEL,

Petitioner.

On Petition for Writ of Mandamus.
(6:08-cr-00797-HFF; 6:09-cv-70082-HFF)

Submitted: October 19, 2010 Decided: October 26, 2010

Before DUNCAN, KEENAN, and WYNN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Yueseeyuan Cruel, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Yueseyuan Cruel petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C.A. § 2255 (West Supp. 2010) motion. He seeks an order from this court directing the district court to act. Although we find that mandamus relief is not warranted because the delay is not unreasonable, we deny the mandamus petition without prejudice to the filing of another mandamus petition if the district court does not act expeditiously. 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