

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1180

In re: EARL SPENCER BOYCE, JR.,

Petitioner.

On Petition for Writ of Mandamus (1:08-cv-00535-MR;
1:06-cr-00020)

Submitted: September 22, 2011

Decided: October 3, 2011

Before GREGORY, DUNCAN, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Earl Spencer Boyce, Jr., Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Earl Spencer Boyce, Jr., petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C.A. § 2255 (West Supp. 2011) motion. He seeks an order from this court directing the district court to act. Our review of the district court's docket reveals that the district court entered an order denying Boyce's motion. Accordingly, because the district court has recently decided Boyce'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