

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1279

In re: DONNIE WAYNE SHEFFIELD

Petitioner.

On Petition for Writ of Mandamus.
(4:07-cr-00769-TLW-1; 4:11-cv-03247-TLW)

Submitted: July 19, 2012

Decided: July 23, 2012

Before DUNCAN, AGEE, and WYNN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Donnie Wayne Sheffield, Appellant Pro Se. Carrie Fisher
Sherard, Assistant United States Attorney, Greenville, South
Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Donnie Wayne Sheffield petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his motion for recusal filed in his 28 U.S.C.A. § 2255 (West Supp. 2012) 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 denied the motion on March 14, 2012. Accordingly, because the district court has recently ruled on Sheffield's motion, 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