

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1082

In re: WAYNE D. BUTTS,

Petitioner.

On Petition for Writ of Mandamus.
(2:12-cv-00042-MSD-LRL; 2:12-cv-00210-MSD-LRL)

Submitted: March 26, 2013

Decided: March 29, 2013

Before DUNCAN, FLOYD, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Wayne D. Butts, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Wayne D. Butts petitions for a writ of mandamus, seeking an order from this court directing the district court to act on motions filed in Case No. 2:12-cv-00042-MSD-LRL and Case No. 2:12-cv-00210-MSD-LRL. Butts alleges that the district court has unduly delayed acting on his "Motion for Preliminary Injunction and Temporary Restraining Order" and "Motion for Judgment of Pre-Trial Motions," filed in Case No. 2:12-cv-00042-MSD-LRL. In an order entered on October 25, 2012, the magistrate judge denied Butts' motions as moot. Butts also seeks mandamus relief with respect to his motion for leave to proceed in forma pauperis, filed in Case No. 2:12-cv-00210-MSD-LRL. In an order entered on December 6, 2012, the magistrate judge denied this motion. Accordingly, we deny Butts' 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 this court and argument would not aid the decisional process.

PETITION DENIED