

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-1098**

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In re: DERRICK KEITH USSERY, SR., a/k/a Boogaloo,  
Petitioner.

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On Petition for Writ of Mandamus.  
(4:10-cr-00030-H-1; 4:12-cv-00175-H)

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Submitted: March 28, 2013

Decided: April 2, 2013

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Before NIEMEYER, KING, and KEENAN, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Derrick Keith Ussery, Sr., Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Derrick Keith Ussery, Sr., petitions for a writ of mandamus, alleging that the district court has unduly delayed in ruling on his 28 U.S.C.A. § 2255 (West Supp. 2012) motion. He seeks an order from this court directing the district court to act. We find the present record does not reveal undue delay in the district court. Accordingly, we deny the mandamus petition. 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