

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1636

In re: CHARLES EVERETTE HINTON,

Petitioner.

On Petition for Writ of Mandamus.
(5:12-hc-02299-D)

Submitted: October 22, 2013

Decided: October 24, 2013

Before WILKINSON, NIEMEYER, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Charles Everette Hinton, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles Everette Hinton petitions for a writ of mandamus, seeking an order compelling the district court to serve on the Attorney General of North Carolina his 28 U.S.C.A. § 2241 (West 2006 & Supp. 2013) petition and to set his case for trial.* Our review of the district court's docket reveals that the court construed Hinton's § 2241 petition as a 28 U.S.C. § 2254 (2006) petition and dismissed it without prejudice. Accordingly, because the district court has recently decided Hinton'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 this court and argument would not aid the decisional process.

PETITION DENIED

* Hinton also seeks similar relief on behalf of twelve other inmates, eight of whom did not sign the mandamus petition. The remaining four inmates who did sign the petition have not paid a filing fee or filed an application to proceed in forma pauperis. Thus, we do not address their claims.