

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2042

In re: RANDOLPH HARRIS AUSTIN, a/k/a Randolph Harris, a/k/a
Matarbus Raynard Fewell,

Petitioner.

On Petition for Writ of Mandamus. (3:05-cr-00213-RJC-DCK-1;
3:11-cv-00040-RJC)

Submitted: December 17, 2013 Decided: December 23, 2013

Before SHEDD, DUNCAN, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Randolph Harris Austin, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Randolph Harris Austin petitions for a writ of mandamus, alleging that the district court has unduly delayed in ruling on his 28 U.S.C. § 2255 (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, although we grant leave to proceed in forma pauperis, 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