

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1042

In re: JOSEPH DIXON MIDYETTE,

Petitioner.

On Petition for Writ of Mandamus.
(No. 5:15-hc-02108-D)

Submitted: March 29, 2016

Decided: April 1, 2016

Before GREGORY and DUNCAN, Circuit Judges, and DAVIS, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Joseph Dixon Midyette, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Dixon Midyette petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his motion for release pending the appeal of the dismissal of his habeas motion as successive. 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 Midyette's motion on January 19, 2016. Accordingly, because the district court has recently decided Midyette'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