

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 95-8092**

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In Re: GERARD VALMORE BROWN,

Petitioner.

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On Petition for Writ of Mandamus. (CR-93-281)

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Submitted: November 28, 1995

Decided: April 19, 1996

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Before NIEMEYER and MOTZ, Circuit Judges, and PHILLIPS, Senior  
Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Gerard Valmore Brown, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Petitioner filed this petition for a writ of mandamus seeking to have this court direct the district court to act on his motion filed pursuant to 28 U.S.C. § 2255 (1988). The district court has last acted in the § 2255 proceeding on September 8, 1995. Because the district court has acted within six months of the filing of the petition, we find no unreasonable delay. Therefore, while we grant leave to proceed in forma pauperis, we deny the petition. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED