

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-521

In Re: CHARLES EVANS,

Petitioner.

On Petition for Writ of Mandamus. (CA-95-56-BR)

Submitted: October 3, 1996

Decided: October 10, 1996

Before ERVIN, LUTTIG, and MICHAEL, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Charles Evans, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Charles Evans filed a petition for writ of mandamus asking this court to compel the district court to dispose of his habeas corpus petition, 28 U.S.C. § 2254 (1988), as amended by Act of Apr. 24, 1996, 28 U.S.C. § 2254 (Law. Co-op. Advance Sheet June 1996). Although we grant leave to proceed in forma pauperis, we deny mandamus relief because the district court in the Western District of North Carolina has disposed of the case. Accordingly, the mandamus petition is moot. Additionally, we deny Petitioner's motion to appoint counsel. 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