

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6642

In Re: JAMAL A. AZEEZ,

Petitioner.

On Petition for Writ of Mandamus. (CA-00-54)

Submitted: June 19, 2002

Decided: July 10, 2002

Before NIEMEYER and MICHAEL, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Jamal Azeez, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jamal A. Azeez petitions this court for a writ of mandamus to compel the district court to rule on his pending petition under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2001). The granting of a writ of mandamus is a drastic remedy to be used in extraordinary circumstances. In re Beard, 811 F.2d 818, 826 (4th Cir. 1987). Azeez's petition does not set forth exceptional circumstances as would warrant the issuance of a writ of mandamus at this time. We note, however, that no significant action has been taken in the district court for over seven months.

Accordingly, we deny Azeez's mandamus petition without prejudice to his refiling it should the district court fail to act within a reasonable time. We grant Azeez's application to proceed on appeal in forma pauperis and 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