

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-6920**

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In Re: LORENZO MAURICE JOHNSON,

Petitioner.

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On Petition for Writ of Mandamus. (CA-01-846)

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Submitted: August 29, 2002

Decided: September 6, 2002

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

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Petition denied by unpublished per curiam opinion.

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Lorenzo Maurice Johnson, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Lorenzo Maurice Johnson petitions this court for a writ of mandamus directing the district court to rule on his 28 U.S.C. § 2255 (2000) motion, asserting that the district court has unreasonably delayed action on his motion. Mandamus is a drastic remedy to be used only in extraordinary circumstances, and Johnson's petition does not establish extraordinary circumstances warranting mandamus relief. Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976). Moreover, our review of the district court's docket sheet discloses that there has been significant action in this case in the past six months, and therefore, there has been no undue delay in the consideration of Johnson's motion. Accordingly, we deny Johnson's motion to proceed in forma pauperis and his motion for a writ of mandamus. 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