

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-6481

In Re: ARTHUR W. PRIVOTT,

Petitioner.

On Petition for Writ of Mandamus
(CR-98-5; CA-99-73)

Submitted: August 25, 2005

Decided: September 1, 2005

Before TRAXLER and SHEDD, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Arthur W. Privott, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Arthur J. Privott petitions for writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2255 (2000) motion. He seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court denied Privott's § 2255 motion on March 29, 2005. The judgment was filed on April 5, 2005, with copies mailed to his counsel.* Accordingly, because the district court has recently decided Privott's case, we grant leave to proceed in forma pauperis but deny the mandamus petition as moot. 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

*Counsel filed a notice of appeal in the district court on April 14, 2005, and Privott's appeal is docketed as Case No. 05-6674.