

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 26-1398

In re: DAVID STEBBINS,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the Southern District of West Virginia, at Charleston. (2:24-cv-00140)

Submitted: May 21, 2026

Decided: May 27, 2026

Before AGEE and THACKER, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

David A. Stebbins, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Stebbins petitions for a writ of mandamus, alleging that the district court has unduly delayed acting in the underlying copyright infringement action. He seeks an order from this court directing the district court to act. Our review of the district court's docket reveals that the district court recently adopted the magistrate judge's recommendation and dismissed Stebbins' action, without prejudice, subject to Stebbins paying the filing fee within 30 days of the court's order. Defendants have thus filed a motion to dismiss this mandamus action as moot.*

Because the district court has recently decided Stebbins' case, we grant Defendants' motion and deny the mandamus petition as moot. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED

* Defendants have also moved for this court to reconsider its order granting Stebbins in forma pauperis status, and Stebbins has moved for the court to strike Defendants' reply brief in support of the motion to reconsider. We deny both motions as moot.