

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1948

In Re: EDDIE LAVON MCNEILL,

Petitioner.

On Petition for Writ of Mandamus.
(1:04-cr-00126-NCT-1; 1:08-cv-00261-NCT-PTS)

Submitted: May 24, 2011

Decided: June 23, 2011

Before MOTZ, KING, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Eddie Lavon McNeill, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Eddie Lavon McNeill petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his Fed. R. Civ. P. 59(e) motion. 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 denied McNeill's motion on March 25, 2011. Accordingly, because the district court has recently adjudicated McNeill's Rule 59(e) motion, we deny the mandamus petition as moot. We grant McNeill's motion to proceed in forma pauperis. 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