

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1098

In Re: LAWRENCE A. AZURE,

Petitioner.

On Petition for Writ of Mandamus. (5:08-cv-00286)

Submitted: March 22, 2011

Decided: April 13, 2011

Before SHEDD, AGEE, and WYNN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Lawrence A. Azure, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lawrence A. Azure petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his petition for relief under 28 U.S.C.A. § 2241 (West 2006 & Supp. 2010). He seeks an order from this court directing the district court to act. Although we find that mandamus relief is not warranted because of the recent issuance of the magistrate judge's report and recommendation, we deny the mandamus petition without prejudice to the filing of another mandamus petition if the district court does not act expeditiously. We grant leave 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