

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1541

In re: JOSEPH SAMUEL HALL,

Petitioner.

On Petition for Writ of Mandamus.
(5:11-cr-00034-FPS-MJA-1; 5:14-cv-00133-FPS-MJA)

Submitted: September 29, 2016

Decided: October 3, 2016

Before SHEDD, KEENAN, and HARRIS, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Joseph Samuel Hall, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Samuel Hall petitions for a writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2255 (2012) 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 accepted the recommendation of the magistrate judge and denied relief on Hall's § 2255 motion by order entered August 11, 2016. Because the district court has recently decided Hall's case, his request for a ruling is moot. Further, insofar as Hall seeks an evidentiary hearing on his § 2255 claims, he does not demonstrate a clear right to such a hearing, as required for mandamus relief. See In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988). Accordingly, although we grant leave to proceed in forma pauperis, we deny the petition for writ of mandamus. 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