

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-1698

In re: CHUCK WAYNE BOYD,

Petitioner.

On Petition for Writ of Mandamus. (3:20-cv-00028-GMG-RWT)

Submitted: October 29, 2021

Decided: November 2, 2021

Before MOTZ, KING, and WYNN, Circuit Judges.

Petition dismissed in part and denied in part by unpublished per curiam opinion.

Chuck Wayne Boyd, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Chuck Wayne Boyd petitions for a writ of mandamus, alleging that the district court and the magistrate judge to whom his case was assigned have unduly delayed acting on his 28 U.S.C. § 2241 petition. He seeks an order from this court directing the magistrate judge to act and directing the district court to resolve his petition. Our review of the district court's docket reveals that the magistrate judge has entered an order recommending the district court deny Boyd's petition. *Boyd v. Hudgins*, No. 3:20-cv-00028-GMG (N.D. W. Va., PACER No. 14). Accordingly, to the extent that Boyd requests that the magistrate judge act on his petition, we dismiss the mandamus petition as moot. To the extent that Boyd seeks final resolution of his § 2241 petition, the present record does not reveal undue delay in the district court. Accordingly, we deny the remainder of the petition. 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 DISMISSED IN PART,
DENIED IN PART*