

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 26-1784

In re: EMORY CHILES,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the Northern District of West Virginia, at Clarksburg. (1:18-cr-00007-TSK-MJA-1; 1:20-cv-00080-TSK)

Submitted: July 23, 2026

Decided: July 28, 2026

Before WYNN and HARRIS, Circuit Judges, and FLOYD, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Emory Taylor Chiles, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Emory Taylor Chiles petitions for a writ of mandamus, alleging that the district court has unduly delayed acting on his Fed. R. Civ. P. 60(b) motion in his 28 U.S.C. § 2255 proceedings. 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 denied Chiles's motion. *United States v. Chiles*, No. 1:18-cr-00007-TSK-MJA-1; 1:20-cv-00080-TSK (N.D. W. Va. June 22, 2026). Because the district court has ruled on Chiles's Rule 60(b) motion, we deny the mandamus petition as moot. We also deny Chiles's pending motion for extension of time to file a motion for certificate of appealability without prejudice to his ability to refile it in his direct appeal from the district court's denial of his Rule 60(b) motion, if he chooses to file such an appeal. 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