

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-6514**

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In Re: BERNARD S. LEVI,

Petitioner.

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On Petition for Writ of Mandamus. (CA-00-2318)

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Submitted: May 17, 2001

Decided: May 29, 2001

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Before WIDENER, NIEMEYER, and MICHAEL, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Bernard S. Levi, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Bernard S. Levi has filed a petition for a writ of mandamus asking this court to compel the district court to issue a decision on his petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 (1994). Because the district court recently accepted the magistrate judge's report and recommendation with modification and dismissed Levi's petition for habeas corpus, we deny the mandamus petition as moot. We grant Levi leave to proceed in forma pauperis in this court. 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