

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-1862

In Re: UTHAIWAN WONG-OPASI,

Petitioner.

On Petition for Writ of Mandamus.

Submitted: September 21, 2000 Decided: September 27, 2000

Before WILKINS, NIEMEYER, and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Uthaiwan Wong-opasi, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Uthaiwan Wong-opasi filed this petition for a writ of mandamus requesting this court to compel the administrative law judge in the Office of the Chief Administrative Hearing Officer to include certain documents in the record, comply with the administrative rules, vacate several of its orders, correct his statements as to her conduct, and treat her fairly.

The party seeking mandamus relief carries the heavy burden of showing that he has "no other adequate means to attain the relief he desires" and that his right to such relief is "clear and indisputable." Allied Chemical Corp. v. Daiflon, Inc., 449 U.S. 33, 35 (1980); In re Beard, 811 F.2d 818, 826 (4th Cir. 1987). Mandamus relief is not a substitute for an appeal. In re United Steelworkers, 595 F.2d 958, 960 (4th Cir. 1979). Because Wong-opasi could petition the court of appeals for review of the ALJ's orders, see 8 U.S.C.A. § 1324b(i) (West 2000), mandamus relief is not warranted. Therefore, 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 the court and argument would not aid the decisional process.

PETITION DENIED