

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-7444**

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In Re: GARRY COPELAND,

Petitioner.

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On Petition for Writ of Mandamus. (CR-90-108-N)

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Submitted: January 31, 2001

Decided: March 8, 2001

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Before WILKINS and MICHAEL, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Garry Copeland, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Garry Copeland has filed this mandamus petition apparently seeking to bring an Apprendi\* claim under 28 U.S.C. § 2241 (1994). Where there is another available remedy, mandamus relief is not appropriate. In re Beard, 811 F.2d 818, 826 (4th Cir. 1987). In this case, Copeland has another available remedy, namely to file a 28 U.S.C. § 2241 petition in the district court. Therefore, although we grant leave to proceed in forma pauperis, we deny mandamus relief. 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

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\* Apprendi v. New Jersey, 530 U.S. 466 (2000).