

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-2103

In Re: ALFRED RONSDORF,

Petitioner.

On Petition for Writ of Mandamus. (CA-95-2729-JFM)

Submitted: December 11, 2002

Decided: January 3, 2003

Before LUTTIG, MICHAEL, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Alfred Ronsdorf, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Alfred Ronsdorf has filed a petition for a writ of mandamus alleging bias on the part of the district judge and seeking an order directing payment of funds in the district court's registry to him. The district court denied Ronsdorf's multiple motions for disbursement of the funds after previously dismissing Ronsdorf's complaint with prejudice based on his repeated failure to follow court orders. We affirmed that dismissal. Ronsdorf v. Chase Manhattan Bank, No. 00-2299 (4th Cir. Mar. 13, 2001) (unpublished). Thus, the relief Ronsdorf seeks has been previously denied by both the district court and this court.

Mandamus is a drastic remedy and should only be granted in those extraordinary situations when no other remedy is available. In re: Beard, 811 F.2d 818, 826 (4th Cir. 1987). It is not a substitute for appeal. In re United Steelworkers, 595 F.2d 958, 960 (4th Cir. 1979). Ronsdorf has utterly failed to demonstrate such extraordinary circumstances. Despite being given numerous opportunities by the district court, Ronsdorf never produced proof, much less the "undisputed proof" he asserts in his petition, that he is entitled to the funds as a matter of law. Moreover, his repeated failure to comply with the orders of the district court, in combination with his inflammatory filings, further undermine his petition. To the extent Ronsdorf contends the district court is biased, he has not demonstrated extrajudicial bias warranting

recusal. Beard, 811 F.2d at 827. Accordingly, 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