

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6933

In Re: EDDIE THOMAS JACKSON,

Petitioner.

On Petition for Writ of Mandamus. (CR-00-607)

Submitted: July 8, 2002

Decided: July 18, 2002

Before NIEMEYER, LUTTIG, and MICHAEL, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Eddie Thomas Jackson, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Eddie Thomas Jackson filed this petition for a writ of mandamus seeking to compel the district court to consider his post-judgment motion to dismiss the indictment filed June 19, 2002. Mandamus is a drastic remedy only to be used in extraordinary circumstances. In re Beard, 811 F.2d 818, 826-27 (4th Cir. 1987). Mandamus relief is available only when the petitioner has a clear and indisputable right to the relief sought and there are no other adequate means for obtaining the requested relief. Allied Chem. Corp. v. Daiflon, Inc., 449 U.S. 33, 35 (1980); Beard, 811 F.2d at 826. Jackson has failed to make the requisite showing for such extraordinary relief. Our review of the district court docket sheet discloses that there has been no undue delay in Jackson's motion.

We grant Jackson's motion to proceed in forma pauperis. We deny Jackson's petition for 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