

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-6432**

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IN RE: BURTON BRAXTON HAGWOOD,

Petitioner.

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On Petition for a Writ of Mandamus.  
(3:00-cr-00013-WCB-1)

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Submitted: April 27, 2006

Decided: May 8, 2006

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Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Burton Braxton Hagwood, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Burton Braxton Hagwood petitions for a writ of mandamus. He seeks an order directing the district court to provide copies of his indictment, plea agreement, and plea and sentencing transcripts. Mandamus relief is available only when the petitioner has a clear right to the relief sought. See In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988). Further, mandamus is a drastic remedy and should only be used in extraordinary circumstances. See Kerr v. U.S. Dist. Court, 426 U.S. 394, 402 (1976); In re Beard, 811 F.2d 818, 826 (4th Cir. 1987). Mandamus may not be used as a substitute for appeal. See In re United Steelworkers, 595 F.2d 958, 960 (4th Cir. 1979).

The relief sought by Hagwood is not available by way of mandamus. Accordingly, although we grant Hagwood's motion to proceed in forma pauperis, 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