

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1104

In Re: TERENCE KEITH JOHNSON,

Petitioner.

On Petition for Writ of Mandamus.

(3:03-cv-00937; 3:06-cv-00748; 3:06-cv-00804; 3:06-cv-00805; 3:06-cv-00811; 3:06-cv-00816; 3:06-cv-00826; 3:06-cv-00827; 3:06-cv-00846; 3:06-cv-00847; 3:06-cv-00866; 3:06-cv-00867; 3:07-cv-00001; 3:07-cv-00003; 3:07-cv-00004)

Submitted: May 31, 2007

Decided: June 5, 2007

Before WILKINSON, TRAXLER, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Terence Keith Johnson, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Terence Keith Johnson petitions for a writ of mandamus seeking an order directing the district court to vacate a prefiling review order. We conclude that Johnson is not entitled to mandamus relief.

Mandamus relief is available only when the petitioner has a clear right to the relief sought. 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. Kerr v. United States 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. In re United Steelworkers, 595 F.2d 958, 960 (4th Cir. 1979).

The relief sought by Johnson is not available by way of mandamus. Accordingly, although we grant leave 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