

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6744

In Re: GEORGE OGUENO OPANDE,

Petitioner.

On Petition for Writ of Mandamus.
(1:05-cv-00748-GBL)

Submitted: June 6, 2007

Decided: July 3, 2007

Before WILKINSON, KING, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

George Ogueno Opande, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

George Ogueno Opande petitions for a writ of mandamus. He seeks an order declaring his guilty plea and plea agreement unconstitutional.

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 be used only in extraordinary circumstances. See Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976); In Re: Beard, 811 F.2d 818, 826 (4th Cir. 1987).

Because Opande does not have a clear right to the requested relief, we deny his petition for a writ of mandamus. We grant leave to proceed in forma pauperis. 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