

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-2422

In Re: WESLEY CARROLL,

Petitioner.

On Petition for Writ of Mandamus.

Submitted: January 25, 2011 Decided: February 15, 2011

Before NIEMEYER, MOTZ, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Wesley Carroll, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Wesley Carroll petitions for a writ of mandamus seeking an order compelling United States federal officials to perform and comply with their mandated duty. We conclude that Carroll is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976); United States v. Moussaoui, 333 F.3d 509, 516-17 (4th Cir. 2003). Further, 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).

The relief sought by Carroll is not available by way of mandamus. Accordingly, we deny the petition for writ of mandamus. We deny Carroll's motions "for declaratory relief and/or motion for judgment by default," and "for legal services costs, and or legal access/services." 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