

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-2079

IN RE: MYKAL S. RYAN; HELEN E. RYAN; JOHN J. RYAN, JR.,
Petitioners.

On Petition for a Writ of Mandamus.
(08-50805-FJS; 10-05026-FJS)

Submitted: December 20, 2011 Decided: December 22, 2011

Before MOTZ, DUNCAN, and DIAZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Mykal S. Ryan, Helen E. Ryan, John J. Ryan, Jr., Petitioners Pro
Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mykal S. Ryan, Helen E. Ryan, and John J. Ryan, Jr., petition for a writ of mandamus and other injunctive relief seeking an order from this court directing the disqualification/recusal of the bankruptcy court judge presiding over the underlying bankruptcy proceeding, as well as other relief. We conclude that the Ryans are 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 the Ryans is not available by way of mandamus. Accordingly, we deny the petition for writ of mandamus. We deny the Ryans' motion for injunctive relief, and 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