

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-2395

In re: HENRY T. SANDERS,

Petitioner.

Petition for Writ of Mandamus.
(No. 8:12-cv-02518-DKC)

Submitted: February 21, 2013

Decided: February 25, 2013

Before AGEE and DAVIS, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Henry T. Sanders, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Henry T. Sanders petitions for a writ of mandamus, challenging orders of the district court. We conclude that Sanders 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). Mandamus may not be used as a substitute for appeal. In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007).

The relief sought by Sanders 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 also deny all of Sanders' remaining pending motions. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED