

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7764

In re: THEODORE J. WILLIAMS,

Petitioner.

On Petition for Writ of Mandamus.
(5:12-ct-03170-D)

Submitted: January 22, 2013

Decided: January 25, 2013

Before WILKINSON, NIEMEYER, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Theodore J. Williams, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Theodore J. Williams petitions for a writ of mandamus seeking an order from this court directing the district court to serve process on the defendants named in his civil action and to issue an injunction against certain prison guards. We conclude that Williams is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. U.S. Dist. Court, 426 U.S. 394, 402 (1976); United States v. Moussaoui, 333 F.3d 509, 516-17 (4th Cir. 2003). Williams carries the heavy burden of establishing that he has no other adequate means to attain the relief sought and that his entitlement to such relief is clear and indisputable. In re Braxton, 258 F.3d 250, 261 (4th Cir. 2001); In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988).

Williams does not satisfy either of these requirements. Accordingly, although we grant leave to proceed in forma pauperis, we deny the petition for a writ of mandamus. 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