

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-2289**

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In re: GREG P. GIVENS; CAROL L. PIZZUTO; DENNIS A. GIVENS,  
Petitioners.

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On Petition for Writ of Prohibition.  
(Nos. 5:12-cv-00145-FPS-JES, 5:12-cv-00149-FPS-JES, 5:12-cv-  
00155-FPS-JES)

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Submitted: March 27, 2014

Decided: March 31, 2014

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

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Petition denied by unpublished per curiam opinion.

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Greg P. Givens, Carol L. Pizzuto, Dennis A. Givens, Petitioners  
Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Petitioners petition for a writ of "procedendo" seeking an order directing the district court to conduct its proceedings in a certain manner. The filing has been docketed as a writ of prohibition, which "is a drastic and extraordinary remedy which should be granted only when the petitioner has shown his right to the writ to be clear and undisputable and that the actions of the court were a clear abuse of discretion." In re Vargas, 723 F.2d 1461, 1468 (10th Cir. 1983). A writ of prohibition may not be used as a substitute for appeal. Id. Because Petitioners have not shown any basis for the relief sought and, in any event, can raise their claims on appeal, we grant leave to proceed in forma pauperis and deny the writ of prohibition. 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