

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-2531

In re: KEVIN WAYNE MCDANIELS,

Petitioner.

On Petition for a Writ of Mandamus.

Submitted: April 21, 2016

Decided: April 25, 2016

Before WILKINSON, KING, and KEENAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Kevin Wayne McDaniels, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kevin Wayne McDaniels petitions for a writ of mandamus seeking an order directing the South Carolina state court to dismiss criminal charges against him. We conclude that McDaniels 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). 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). Moreover, this court does not have jurisdiction to grant mandamus relief against state officials, Gurley v. Superior Court of Mecklenburg Cnty., 411 F.2d 586, 587 (4th Cir. 1969), and does not have jurisdiction to review final state court orders, Dist. of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 482 (1983).

The relief sought by McDaniels 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 McDaniels' motion for bail or release pending appeal as well as his motion to amend exhibits. 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