

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 16-1642**

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In re: MARK JACOB JONES, SR., a/k/a Mark J. Jones, Sr.,  
Petitioner.

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On Petition for Writ of Mandamus.  
(2:14-cr-00132-RGD-LRL-2; 2:16-cv-00106-RGD-LRL)

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Submitted: October 18, 2016                      Decided: October 20, 2016

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Before WILKINSON, KING, and FLOYD, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Mark Jacob Jones, Sr., Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mark Jacob Jones, Sr., has filed a petition for a writ of mandamus seeking an order from this court directing the district court to rule on his motion for preparation of a transcript at government expense, 28 U.S.C. § 753(f) (2012). We conclude that Jones 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). Mandamus may not be used as a substitute for appeal. In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007).

Jones has failed to make such a showing. Accordingly, although we grant leave to proceed in forma pauperis, we deny Jones' petition for 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