

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1670

In Re: BRETT C. KIMBERLIN,

Petitioner.

On Petition for Writ of Mandamus.
(8:13-cv-03059-GJH)

Submitted: November 10, 2016 Decided: December 7, 2016

Before WILKINSON and HARRIS, Circuit Judges, and HAMILTON,
Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Brett C. Kimberlin, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brett C. Kimberlin petitions for a writ of mandamus seeking an order directing the district court to vacate its protective order covering pretrial discovery and to allow him to publicly use discovery documents marked confidential that have not yet been filed in court. 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). The party seeking issuance of the writ must have no other adequate means to attain relief, and he bears the burden of showing that his right to the writ is clear and indisputable. Moussaoui, 333 F.3d at 517 (citations omitted). We have reviewed the petition and conclude that Kimberlin fails to make this showing.

Accordingly, we deny the petition for a writ of mandamus. We deny the motion to expedite as moot. 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