

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1874

In re: JAMES LESTER ROUDABUSH, JR.,

Petitioner.

On Petition for Writ of Mandamus.

Submitted: September 29, 2016

Decided: October 3, 2016

Before SHEDD, KEENAN, and HARRIS, Circuit Judges.

Petition denied by unpublished per curiam opinion.

James Lester Roudabush, Jr., Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Lester Roudabush, Jr., petitions for a writ of mandamus, seeking an order from this court directing the warden of the institution where he is incarcerated and the Federal Bureau of Prisons and its agents to provide him with additional food at mealtimes and directing that he be rescored in the prison classification system. We conclude that Roudabush 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). Mandamus may not be used as a substitute for appeal. In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007). 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).

The relief sought by Roudabush is not available by way of mandamus because Roudabush fails to establish any clear right to relief from this court in the form of an order directing the provision of additional meals or rescoring in the prison classification system. Accordingly, we deny the petition and supplemental 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