

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-528

In Re: JAMES OTIS KELLEY,

Petitioner.

On Petition for Writ of Mandamus.
(CA-93-932-L, CA-94-2295-MJG)

Submitted: May 7, 1996

Decided: June 4, 1996

Before WILKINS and NIEMEYER, Circuit Judges, and BUTZNER, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

James Otis Kelley, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Petitioner has filed a petition for a writ of mandamus and a writ of prohibition seeking to compel an unnamed bailee to perform in accordance with bailment proceedings stemming from this court's decisions in In re Kelley, No. 95-8058 (4th Cir. Oct. 13, 1995) (unpublished) and In re Kelley, No. 95-8070 (4th Cir. Jan. 25, 1996) (unpublished). Our review of these cases reveals them to be denials of earlier petitions seeking both writs of mandamus and prohibition relating to an earlier 42 U.S.C. § 1983 (1988) case dismissed by a Maryland district court and affirmed by this court on appeal. Accordingly, because we find no factual basis to support Petitioner's request, we grant Petitioner leave to proceed in forma pauperis but deny his petition for a writ of mandamus and prohibition. Given this disposition, we also deny his motion for subpoenas to obtain information relating to his petition. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the Court and argument would not aid the decisional process.

PETITION DENIED