

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-531

In Re: LEVERN HENRY,

Petitioner.

On Petition for Writ of Mandamus. (CA-95-3971-O-OBD)

Submitted: August 22, 1996 Decided: September 3, 1996

Before RUSSELL, HALL, and WILLIAMS, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Levern Henry, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Petitioner filed a petition for writ of mandamus, seeking to have his 28 U.S.C. § 2241 (1988) action transferred to this court or have default judgment entered in his favor due to the Respondents' delay in filing a response. Petitioner failed to show that he has a clear right to the relief sought and that no other remedy is available. In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988); see Stines v. Martin, 849 F.2d 1323, 1324 (10th Cir. 1988). While we grant leave to proceed in forma pauperis, we deny the petition for a writ of mandamus. 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