

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-549

In Re: WILLIE JAMES MURPHY, JR., a/k/a Jerry
Robinson,

Petitioner.

On Petition for Writ of Mandamus. (CR-91-277-2)

Submitted: July 25, 1996

Decided: August 12, 1996

Before LUTTIG and MOTZ, Circuit Judges, and PHILLIPS, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Willie James Murphy, Jr., Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Willie James Murphy filed this petition for a writ of mandamus asking the court to compel the district court to grant his Motion to Have the DEA/Government Reveal the Procedures Used in Testing Substances Seized from Defendant and Supply Sample for Chemical Analysis. However, mandamus is not a substitute for appeal. In re United Steelworkers, 595 F.2d 958, 960 (4th Cir. 1979). Murphy could have challenged the district court's order by way of an appeal. Therefore, although we grant leave to proceed in forma pauperis, we deny the petition for 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