

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-602**

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In Re: DENNIS ALLEN BREWER,

Petitioner.

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On Petition for Writ of Mandamus. (CR-91-342-A)

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Submitted: June 17, 1997

Decided: August 5, 1997

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

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Petition denied by unpublished per curiam opinion.

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Dennis Allen Brewer, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Dennis Allen Brewer filed this petition for a writ of mandamus seeking to compel the district court to respond to his 28 U.S.C.A. § 2255 (West 1994 & Supp. 1997) motion, his subsequent motion to supplement the record, a motion for a reduction in sentence, and a motion for production of documents. To obtain mandamus relief, a petitioner bears the heavy burden of showing that he has no other adequate avenues of relief and that his right to the relief sought is clear and indisputable. Mallard v. United States Dist. Court, 490 U.S. 296, 308-09 (1989). The district court has no record of any pleadings filed after Brewer's judgment of conviction and Brewer failed to produce evidence that he in fact filed any such pleadings. Accordingly, Brewer has failed to show he has a clear right to relief requested and, although we grant him leave to proceed in forma pauperis, we deny the mandamus petition. We have confidence that if Brewer now files his action in the district court, that court will take prompt action. 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