

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2434

In Re: FRANK PAUL LUKACS,

Petitioner.

On Petition for Writ of Mandamus. (CA-97-3483-PJM)

Submitted: October 30, 1998

Decided: November 13, 1998

Before WILLIAMS and MOTZ, Circuit Judges, and HALL, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Frank Paul Lukacs, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Frank Paul Lukacs filed a petition for a writ of mandamus requesting that this court order the district court to: (1) vacate its order prohibiting the parties from filing further pleadings or motions until such time as the district court is able to dispose of motions currently pending; and (2) permit Lukacs to file further pleading, motions, affidavits, and appeals. In this mandamus petition, Lukacs failed to establish that he has a clear right to the relief sought and that no other remedy is adequate. See In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988). Further, mandamus may not be used as a substitute for appeal. See In re United Steelworkers, 595 F.2d 958, 960 (4th Cir. 1979). We therefore deny Lukacs' petition for a writ of mandamus. Lukacs' motion for leave to file an attachment to his mandamus petition is granted. 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