

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6129

In Re: FRED SHORES, JR.,

Petitioner.

On Petition for Writ of Mandamus. (CR-93-93)

Submitted: May 25, 1999

Decided: June 2, 1999

Before ERVIN, WILKINS, and MICHAEL, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Fred Shores, Jr., Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Fred Shores, Jr., has filed a petition for a writ of mandamus from this court seeking an order instructing the district court for the Western District of North Carolina to revisit the propriety of Shore's 1993 conviction for a violation of 18 U.S.C. § 1958 (1994). Mandamus is a drastic remedy to be used only in extraordinary circumstances. See Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976). Mandamus relief is only available when there are no other means by which the relief sought could be granted, see In re Beard, 811 F.2d 818, 826 (4th Cir. 1987), and may not be used as a substitute for appeal. In re Catawba Indian Tribe of S. Carolina, 973 F.2d 1133, 1135 (4th Cir. 1992). Accordingly, we deny mandamus relief. 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