

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-6714**

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In Re: ELTRENTROSE F. LIVERMAN,

Petitioner.

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On Petition for Writ of Mandamus. (CA-00-922-2)

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Submitted: July 12, 2001

Decided: July 20, 2001

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Before WILLIAMS, MICHAEL, and MOTZ, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Eltrentrose F. Liverman, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Eltrentrose F. Liverman has filed a petition for a writ of mandamus seeking an order from this court directing the district court to rule on his successive motion filed under 28 U.S.C.A. § 2255 (West Supp. 2000). Mandamus is a drastic remedy to be used only in extraordinary circumstances. Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976). “[C]ourts are extremely reluctant to grant a writ of mandamus.” In re Ford Motor Co., 751 F.2d 274, 275 (8th Cir. 1984). In seeking mandamus relief, Liverman carries the heavy burden of showing that he has no other adequate means to attain the relief sought and that his right to such relief is clear and indisputable. In re First Fed. Sav. & Loan Ass’n, 860 F.2d 135, 138 (4th Cir. 1988). We find that Liverman has failed to meet this burden and thus we deny the petition. We deny Liverman’s motion to proceed in forma pauperis and 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