

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6756

In Re: ZANE A. JOHNSON,

Petitioner.

On Petition for Writ of Mandamus.
(1:07-cv-00278-NCT)

Submitted: July 24, 2007

Decided: August 1, 2007

Before WILKINSON, TRAXLER, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Zane A. Johnson, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Zane A. Johnson, a North Carolina prisoner, petitions for a writ of mandamus. Johnson seeks an order compelling the warden to fully respond to Johnson's habeas petition on the merits. Mandamus relief is available only when the petitioner has a clear right to the relief sought and there are no other means to obtain the requested relief. See In re First Fed. Sav. & Loan Assn., 860 F.2d 135, 138 (4th Cir. 1988); In re Beard, 811 F.2d 818, 826-27 (4th Cir. 1979). Further, mandamus is a drastic remedy and should only be used in extraordinary circumstances. See Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976); Beard, 811 F.2d at 826. This court does not have jurisdiction to grant mandamus relief against state officials. See Gurley v. Superior Court of Mecklenburg County, 411 F.2d 586, 587 (4th Cir. 1969). The relief sought by Johnson is not available by way of mandamus. Accordingly, 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