UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1415

In Re: MATTHEW RICHARD PALMIERI,

Petitioner.

On Petition for Writ of Mandamus.

Submitted: June 11, 2012 Decided: July 18, 2012

Before DAVIS, DIAZ, and FLOYD, Circuit Judges.

Petition dismissed by unpublished per curiam opinion.

Matthew Richard Palmieri, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Matthew Richard Palmieri has filed a petition for a writ of Quo Warranto and a writ of mandamus asking this court to order the Director of the Defense Security Service ("DSS") to demonstrate the authority for certain alleged actions taken against him and to provide him with due process in connection with the suspension of his security clearance.

We lack jurisdiction to consider Palmieri's petition, and therefore dismiss it. The All Writs Act vests all statutorily created courts, including this court, with authority to issue "all writs necessary or appropriate in aid of their respective jurisdictions . . . ." See 28 U.S.C. § 1651 (2006). However, Palmieri's petition, stemming from the suspension of a security clearance currently under review by the Department of Defense, fails to implicate the independent basis for our jurisdiction necessary for this court to proceed under the All Writs Act. See In re Chambers Dev. Co., 148 F.3d 214, 223 n.6 (3d Cir. 1998) (stating that the All Writs Act requires that "the case may at some future time come within the court's appellate jurisdiction."). Accordingly, we dismiss Palmieri's petition.* We dispense with oral argument because the facts and

* This disposition, of course, is without prejudice to any right Palmieri may have to seek mandamus relief in an appropriate district court. See 28 U.S.C. § 1361 (2006).

legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DISMISSED