

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-2139

In re: BRANDON MARQUIS JENNINGS, a/k/a Smilez, a/k/a Smilez Finesse,
a/k/a Breezy, a/k/a Mustafa Bey,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the Eastern
District of North Carolina, at Raleigh. (5:18-cr-00318-FL-1)

Submitted: January 30, 2024

Decided: February 2, 2024

Before KING, AGEE, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Brandon Marquis Jennings, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brandon Marquis Jennings petitions for a writ of mandamus seeking an order compelling the district court to direct the Government to respond to a memorandum that Jennings filed in his 28 U.S.C. § 2255 proceeding. We conclude that Jennings is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. *Cheney v. U.S. Dist. Ct.*, 542 U.S. 367, 380 (2004); *In re Murphy-Brown, LLC*, 907 F.3d 788, 795 (4th Cir. 2018). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought and “has no other adequate means to attain the relief [he] desires.” *Murphy-Brown*, 907 F.3d at 795 (alteration and internal quotation marks omitted).

Jennings has not established a clear right to the relief he seeks. 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 this court and argument would not aid the decisional process.

PETITION DENIED