

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 26-1061

In re: DEBRA NELSON,

Petitioner.

On Petition for Writ of Prohibition to the United States District Court for the District of South Carolina, at Charleston. (2:25-cv-00405-RMG-MGB)

Submitted: April 28, 2026

Decided: May 1, 2026

Before WILKINSON and GREGORY, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Debra Nelson, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Debra Nelson petitions for a writ of prohibition, asking this court to restrain further action by the district court judge in her underlying employment discrimination case. We conclude that Nelson is not entitled to the relief she seeks. Nelson also seeks a stay of the proceedings below pending disposition of her petition. “[A] writ of prohibition is a drastic and extraordinary remedy which should be granted only when the petitioner has shown [that] [her] right to the writ [is] clear and undisputable[,] . . . that the actions of the court were a clear abuse of discretion,” *In re Vargas*, 723 F.2d 1461, 1468 (10th Cir. 1983), and that she has “no other adequate means to attain the desired relief,” *In re Sch. Asbestos Litig.*, 921 F.2d 1310, 1314 (3d Cir. 1990) (citation modified). A writ of prohibition may not be used as a substitute for appeal. *In re Vargas*, 723 F.2d at 1468; see *United States v. Foster*, 296 F.2d 249, 251 (4th Cir. 1961). The relief sought by Nelson is not available by way of a writ of prohibition. Accordingly, we deny Nelson’s application to proceed in forma pauperis, deny her motion for a stay, and deny her petition. 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