UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 26-1958

In re: JOHN OSBORNE CRANDELL, III,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the Northern District of West Virginia at Elkins. (2:21-cv-00016-TSK-MJA)

Submitted: August 13, 2026 Decided: August 27, 2026

Before NIEMEYER and KING, Circuit Judges, and FLOYD, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

John Osborne Crandell, III, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Osborne Crandell, III, petitions for a writ of mandamus declaring void the district court proceedings in *Crandell v. U.S. Nat'l Archives & Recs. Admin.*, No. 2:21-cv-00016-TSK-MJA (N.D. W. Va.), and directing the district court to accept new evidence in that litigation. Crandell also asks this court to direct the district court to reopen *Crandell v. Hardy Cnty. Rural Dev. Auth.*, No. 2:18-cv-00087-MJA (N.D. W. Va.), and assign that case to a different district judge. Finally, Crandell asks this court to order the district court to restore the case file for *Taylor v. Brown*, No. 2:93-cv-00093-REM (N.D. W. Va.), the production of which was the subject of *Crandell v. U.S. Nat'l Archives & Recs. Admin.* We deny the petition.

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 and indisputable right to the requested relief" and "has no other adequate means to attain the relief he desires." *In re Murphy-Brown*, 907 F.3d at 795 (alteration and internal quotation marks omitted).

We conclude that Crandell is not entitled to mandamus relief. Insofar as Crandell seeks to resurrect his two prior lawsuits, Crandell appealed the district court's orders denying relief in those lawsuits, and we affirmed the district court's orders. *Crandell v. Nat'l Archives & Recs. Admin.*, No. 23-1957, 2025 WL 869495, at *1 (4th Cir. Mar. 20, 2025); *Crandell v. Hardy Cnty. Rural Dev. Auth.*, No. 22-1003, 2023 WL 1794155, at *1-2 (4th Cir. Feb. 7, 2023). Crandell did not seek review in the Supreme Court of the United

States. Crandell cannot use mandamus as a substitute for the usual appellate process.[*] *In re Lockheed Martin Corp.*, 503 F.3d 351, 353 (4th Cir. 2007). Alternatively, we have thoroughly reviewed Crandell's contentions in his mandamus petition and are satisfied that he has not shown a clear and indisputable right to any of the relief sought.

Accordingly, we deny Crandell's petition for a 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

[*] As to *Crandell v. U.S. Nat'l Archives & Recs. Admin.*, which is the primary focus of Crandell's mandamus petition, we further observe that Crandell could have refiled that lawsuit given our decision to modify the district court's dismissal order to be without prejudice.