

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 17-1338**

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In re: JERMAINE JERRELL SIMS, a/k/a Justice, a/k/a Jus,  
Petitioner.

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On Petition for Writ of Mandamus. (3:98-cr-00045-CMH-1)

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Submitted: June 20, 2017

Decided: June 22, 2017

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Before SHEDD, WYNN, and DIAZ, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Jermaine Jerrell Sims, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jermaine Jerrell Sims petitions for a writ of mandamus seeking an order directing the district court to transfer *United States v. Sims*, No. 3:98-cr-00045, from the Alexandria Division to the Richmond Division of the Eastern District of Virginia for any further proceedings. We conclude that Sims is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. *Kerr v. U.S. Dist. Court*, 426 U.S. 394, 402 (1976); *United States v. Moussaoui*, 333 F.3d 509, 516-17 (4th Cir. 2003). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought. *In re First Fed. Sav. & Loan Ass'n*, 860 F.2d 135, 138 (4th Cir. 1988).

Because Sims has shown neither extraordinary circumstances nor his clear right to the transfer, he is not entitled mandamus relief. Accordingly, although we grant leave to proceed in forma pauperis, 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*