

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-1718

In re: JUSTIN MICHAEL TYSON,

Petitioner.

On Petition for Writ of Mandamus. (5:19-ct-03054-D)

Submitted: October 31, 2019

Decided: November 7, 2019

Before GREGORY, Chief Judge, and WYNN and QUATTLEBAUM, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Justin Michael Tyson, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Justin Michael Tyson petitions for a writ of mandamus in his civil case, claiming he is entitled to compensation for the defendants' failure to file an answer to his complaint before it was served on them and seeking termination of the employment of the clerk and judges in his case. "[M]andamus is a drastic remedy that must be reserved for extraordinary situations." *In re Murphy-Brown, LLC*, 907 F.3d 788, 795 (4th Cir. 2018) (internal quotation marks and citations omitted). "Courts provide mandamus relief only when (1) petitioner 'ha[s] no other adequate means to attain the relief [he] desires'; (2) petitioner has shown a 'clear and indisputable' right to the requested relief; and (3) the court deems the writ 'appropriate under the circumstances.'" *Id.* (quoting *Cheney v. U.S. Dist. Court*, 542 U.S. 367, 380-81 (2004)). The writ of mandamus is not a substitute for appeal after final judgment. *Will v. United States*, 389 U.S. 90, 97 (1967); *In re Lockheed Martin Corp.*, 503 F.3d 351, 353 (4th Cir. 2007). We have reviewed the district court's docket and conclude that Tyson fails to show that he is entitled to mandamus relief. Accordingly, although we grant leave to proceed in forma pauperis, we deny the petition for a writ of mandamus and pending motion. 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