

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-2130**

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In re: JASON STEVEN KOKINDA,

Petitioner.

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On Petition for Writ of Mandamus to the United States District Court for the Northern District of West Virginia, at Elkins. (2:21-cr-00020-TSK-MJA-1)

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Submitted: November 17, 2023

Decided: December 29, 2023

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Before AGEE and THACKER, Circuit Judges, and FLOYD, Senior Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Jason Steven Kokinda, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jason Steven Kokinda petitions for a writ of mandamus seeking an order directing the recusal of the district court judge and magistrate judge and an order directing the United States Marshal Service to release a laptop computer to him. We conclude that Kokinda 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).

To the extent Kokinda seeks an order directing the release of the laptop to him, this relief is not available by way of mandamus. Further, while mandamus may be used to seek recusal of a district court judge or magistrate judge, *see In re Beard*, 811 F.2d 818, 827 (4th Cir. 1987), Kokinda’s conclusory allegations are insufficient to warrant recusal. *See Belue v. Leventhal*, 640 F.3d 567, 572–74 (4th Cir. 2011).

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*