

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-6595

In Re: ANGELA GWEN BLAIR,

Petitioner.

On Petition for Writ of Mandamus
(No. 4:00-cr-00603-CWH-11)

Submitted: July 20, 2006

Decided: July 27, 2006

Before WIDENER and WILKINSON, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Angela Gwen Blair, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Angela Gwen Blair petitions for a writ of mandamus seeking an order requiring the Government to file a Fed. R. Crim. P. 35 motion. We conclude that Blair is not entitled to mandamus relief.

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). Further, mandamus is a drastic remedy and should only be used in extraordinary circumstances. Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976); In re Beard, 811 F.2d 818, 826 (4th Cir. 1987). The party seeking mandamus relief must show that she has no other means of obtaining the requested relief. Allied Chem. Corp. v. Daiflon, Inc., 449 U.S. 33, 35 (1980).

The relief sought by Blair is not available by way of mandamus. 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 the court and argument would not aid the decisional process.

PETITION DENIED