

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1275

In Re: PATRICK J. MUHAMMAD,

Petitioner.

No. 07-1291

In Re: PATRICK J. MUHAMMAD,

Petitioner.

On Petitions for Writs of Mandamus.
(8:05-mc-00484; 1:06-cv-03444-CCB)

Submitted: August 17, 2007

Decided: September 5, 2007

Before WILLIAMS, Chief Judge, and GREGORY and SHEDD, Circuit Judges.

Petitions denied by unpublished per curiam opinion.

Patrick J. Muhammad, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated mandamus petitions, Patrick J. Muhammad requests that this court issue two orders directing the United States District Court for the District of Maryland to act. First, Muhammad asks that this court order the district court to vacate its order disbarring Muhammad from the practice of law before that court (No. 07-1275). Muhammad further asks this court to order the district court to enjoin the Maryland Court of Appeals from enforcing its order disbarring Muhammad from the practice of law in Maryland (No. 07-1291). Because we conclude that Muhammad is not entitled to mandamus relief, we deny both petitions.

This court does not have jurisdiction to grant mandamus relief against state officials, see Gurley v. Superior Court of Mecklenburg County, 411 F.2d 586, 587 (4th Cir. 1969), or to review state court orders, see District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 482 (1983). Thus, to the extent that the relief Muhammad seeks would require us to review the Maryland Court of Appeals' disbarment order, relief is not available by way of mandamus.

We also deny Muhammad's request for an order directing the district court to vacate its order of disbarment. Mandamus relief is available only when the petitioner has a clear right to the relief sought and no other means to seek the requested relief. In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir.

1988). Further, mandamus is a drastic remedy and should be used only 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). Muhammad has not established he is entitled to the relief sought, as he fails to establish the requisite extraordinary circumstances or clear entitlement to relief.

Accordingly, although we grant leave to proceed in forma pauperis, we deny the petitions for writs of mandamus. We further deny as moot the pending motions to expedite adjudication of these petitions and for an emergency stay of enforcement of the district court's order of disbarment. 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.

PETITIONS DENIED