

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6701

IN RE: JULIAN EDWARD ROCHESTER,

Petitioner.

On Petition for a Writ of Mandamus.

Submitted: June 20, 2007

Decided: July 30, 2007

Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Julian Edward Rochester, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Julian E. Rochester petitions this court for a writ of mandamus. He seeks to appeal the district court's refusal, in accordance with a prefiling injunction, to process a petition for writ of mandamus that Rochester attempted to file in that court. Rochester also appears to seek an order compelling the South Carolina state courts to hear a postconviction review petition and to set aside two state court judgments. Mandamus is a drastic remedy and should be used only in extraordinary situations. 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 carries the heavy burden of showing that he has no other adequate means to attain the relief he desires and that his entitlement to such relief is clear and indisputable. Allied Chem. Corp. v. Daiflon, Inc., 449 U.S. 33, 35 (1980). Rochester has failed to make the requisite showing. We accordingly deny the motion for leave to proceed in forma pauperis and dismiss the mandamus petition. 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.

DISMISSED