

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-7326

In Re: AMIL ALFRED DINSIO, SR.; JAMES F.
DINSIO,

Petitioners.

On Petition for Writ of Mandamus.
(3:92-cr-00155-FDW)

Submitted: October 18, 2007

Decided: October 26, 2007

Before WILKINSON, NIEMEYER, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Amil Alfred Dinsio, Sr., James F. Dinsio, Petitioners Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Amil Alfred Dinsio, Sr., and James F. Dinsio petition for a writ of mandamus seeking an order directing the district court to recall the detainer lodged against them for a supervised release violation. We conclude that they are not entitled to mandamus relief.

Mandamus relief is available only when a 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 relief sought by Amil and James Dinsio 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