

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 09-1297

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In re: JOHN ROOSEVELT BACCUS,  
  
Petitioner.

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On Petition for Writ of Mandamus

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Submitted: August 20, 2009

Decided: August 24, 2009

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

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Petition denied by unpublished per curiam opinion.

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John Roosevelt Baccus, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Roosevelt Baccus petitions for a writ of mandamus seeking an order directing the release of materials related to grand jury proceedings. We conclude that Baccus 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 relief sought by Baccus is not available by way of mandamus because there are other remedies available. Accordingly, although we grant leave to proceed in forma pauperis, we deny Baccus's motion to appoint counsel and 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