

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 09-2019

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In Re: JAMILYA SADDIYA VANN,

Petitioner.

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On Petition for Writ of Mandamus. (2:04-cr-00173-JBF-TEM-1)

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Submitted: October 27, 2009

Decided: November 5, 2009

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

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Petition denied by unpublished per curiam opinion.

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Jamilya Saddiya Vann, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jamilya Saddiya Vann petitions for a writ of mandamus seeking an order directing the district court or the Bureau of Prisons to allow her to serve her sentence through home confinement. We conclude that Vann is not entitled to mandamus relief. Mandamus is a drastic remedy and should be used only in extraordinary circumstances. United States v. Moussaoui, 333 F.3d 509, 516 (4th Cir. 2003).

Mandamus relief is available only when the petitioner has a clear, indisputable right to the relief sought. Id. Mandamus may not be used as a substitute for appeal. In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007).

The relief sought by Vann is not available by way of mandamus. Indeed, it appears that Vann is statutorily ineligible to be sentenced to home confinement. 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