

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1097

In Re: JOHN ROOSEVELT BACCUS,

Petitioner.

On Petition for Writ of Mandamus.

Submitted: May 20, 2010

Decided: May 26, 2010

Before WILKINSON, NIEMEYER, and DAVIS, Circuit Judges.

Petition denied by unpublished per curiam opinion.

John Roosevelt Baccus, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.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 South Carolina Unified Judicial System and South Carolina Department of Corrections managers to cease interfering with his receipt of legal mail. He also challenges his state conviction. 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 for appointment of counsel and 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