

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

**No. 12-1059**

In re: RANDY L. THOMAS,

Petitioner.

On Petition for a Writ of Mandamus and Prohibition  
(3:07-cv-00130-GCM)

Submitted: April 19, 2012

Decided: April 25, 2012

Before NIEMEYER, SHEDD, and FLOYD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Randy L. Thomas, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Randy L. Thomas petitions for a writ of mandamus and a writ of prohibition, seeking an order vacating the district court's February 13, 2008, order imposing a prefiling injunction, enjoining state officials and employees from certain conduct, compelling the state court to vacate a child custody order, addressing claims raised in prior actions, and imposing monetary sanctions. We conclude that Thomas is not entitled to mandamus or prohibition relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. U.S. Dist. Court, 426 U.S. 394, 402 (1976); United States v. Moussaoui, 333 F.3d 509, 516-17 (4th Cir. 2003). Further, 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). Likewise, "a writ of prohibition is a drastic and extraordinary remedy which should be granted only when the petitioner has shown his right to the writ to be clear and undisputable and that the actions of the court were a clear abuse of discretion." In re Vargas, 723 F.2d 1461, 1468 (10th Cir. 1983). Neither a writ of mandamus nor a writ of prohibition may be used as a substitute for appeal. Id. (prohibition); In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007) (mandamus).

The relief sought by Thomas is not available by way of mandamus or prohibition. Accordingly, although we grant leave to proceed in forma pauperis, we deny the 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.

PETITION DENIED