

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1516

In re: VERN ODELL CRAWFORD, a/k/a Odell Crawford, a/k/a O'Dell
Crawford,

Petitioner.

On Petition for Writ of Mandamus.
(5:07-cr-00058-SGW-1)

Submitted: August 29, 2013

Decided: September 3, 2013

Before DUNCAN, AGEE, and KEENAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Vern Odell Crawford, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Vern Odell Crawford petitions for a writ of mandamus compelling the district court judge to recuse himself from proceedings involving Crawford, his wife Joyce, and his son Kenneth. We conclude that Crawford is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. United States 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).

The relief sought by Crawford 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. No judge of the en banc court requested a poll on Crawford's motion for en banc hearing. Accordingly, the motion is denied. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED