

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2206

In Re: STUART WAYNE TOMPKINS,

Petitioner.

On Petition for Writ of Mandamus.
(1:10-cv-00978-TDS-LPA)

Submitted: December 30, 2013

Decided: January 14, 2014

Before SHEDD, FLOYD, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Stuart Wayne Tompkins, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Stuart Wayne Tompkins petitions for a writ of mandamus seeking assistance from this court in enforcing any possible settlement this court may have issued in a prior appeal.* 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 Tompkins is not available by way of mandamus.

Accordingly, 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 this court and argument would not aid the decisional process.

PETITION DENIED

* We grant Tompkins' request for leave to file the petition.