

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1212

In Re: CAROL L. GRAY PIZZUTO,

Petitioner.

On Petition for Writ of Mandamus.
(5:12-cv-00149-FPS-JES)

Submitted: June 26, 2014

Decided: July 1, 2014

Before WILKINSON, KING, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Carol L. Gray Pizzuto, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Carol Pizzuto petitions for a writ of mandamus seeking relief from alleged errors by the district court in her civil proceeding. We conclude that Pizzuto 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).

As Pizzuto may prove her claims by way of direct appeal, the mandamus relief sought by Pizzuto is not available. 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 this court and argument would not aid the decisional process.

PETITION DENIED