

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1475

In re: JONATHAN HENSLEE,

Petitioner.

On Petition for Writ of Mandamus.
(1:13-cv-00090-RJC)

Submitted: September 25, 2014 Decided: September 29, 2014

Before WILKINSON and AGEE, Circuit Judges, and DAVIS, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Jonathan Leigh Henslee, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jonathan Leigh Henslee petitions for a writ of mandamus seeking an order compelling the district court to expedite proceedings in his pending 42 U.S.C. § 1983 (2012) action. He also moves to amend his mandamus petition to compel the district court to reconsider its order denying his motions for default judgment. We grant Henslee's motion to amend, but we conclude that he 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).

With regard to Henslee's request for an order from this court directing the district court to expedite proceedings, we find there has been no undue delay in the district court. Turning to Henslee's request for an order compelling the district court to reconsider its denial of his motions for default judgment, Henslee has failed to demonstrate that he is entitled to a writ of mandamus. Accordingly, we deny the petition for writ of mandamus and the amended 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