

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1564

In Re: WILLIAM C. BOND,

Petitioner.

On Petition for Writ of Mandamus.
(1:01-cv-02600-MJG)

Submitted: September 5, 2014 Decided: September 10, 2014

Before GREGORY, SHEDD, and DIAZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

William C. Bond, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William C. Bond petitions for a writ of mandamus seeking an order for the district court judge to recuse himself from any further involvement in Bond's civil case, and an order vacating all orders entered in this case as a violation of the recusal statute, 28 U.S.C. § 455 (2012). We conclude that Bond 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). Mandamus may not be used as a substitute for appeal. In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007).

We hold that the relief sought by Bond is not available by way of mandamus. Moreover, even considering the merits of the mandamus petition, we hold that Bond has failed to establish any basis for mandamus relief. 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