

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-1634**

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In Re: HARRY SHAROD JAMES,  
  
Petitioner.

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On Petition for Writ of Mandamus.  
(5:14-hc-02105-F)

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Submitted: November 21, 2014                      Decided: December 17, 2014

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Before KEENAN and HARRIS, Circuit Judges, and DAVIS, Senior  
Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Harry Sharod James, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Harry Sharod James, a North Carolina prisoner, petitions for a writ of mandamus seeking an order directing the district court to transfer his recently filed habeas petition to the Mecklenburg County Superior Court.\* We conclude that James 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). The relief sought by James 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. We dispense with oral argument because the facts and legal

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\* While James' habeas petition was initially filed in the Eastern District of North Carolina, it has since been transferred to the Western District of North Carolina. James has filed a supplement stating that he objects to the jurisdiction of the Western District of North Carolina as well.

contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED