

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-2095

In re: ARMANDO D. PONS,

Petitioner.

On Petition for Writ of Mandamus.

Submitted: December 18, 2014

Decided: December 22, 2014

Before SHEDD, WYNN, and THACKER, Circuit Judges.

Petitions denied by unpublished per curiam opinion.

Armando D. Pons, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Armando D. Pons petitions for a writ of mandamus and a writ of prohibition seeking orders prohibiting further investigation into his activities and dismissing a pending indictment. We conclude that Pons is not entitled to relief.

Mandamus relief and a writ of prohibition are drastic remedies 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); In re Vargas, 723 F.2d 1461, 1468 (10th Cir. 1983). 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). A writ of prohibition may not be used as a substitute for appeal. Vargas, 723 F.2d at 1468.

Pons has not shown any basis for the relief he seeks. Accordingly, although we grant leave to proceed in forma pauperis, we deny the petitions. 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.

PETITIONS DENIED