

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-1152

In re: MARC PIERRE HALL, a/k/a Marc Valeriano, a/k/a
Fella,

Petitioner.

On Petition for Writ of Mandamus.
(No. 3:95-cr-00005-FDW-1)

Submitted: June 18, 2015

Decided: June 22, 2015

Before SHEDD, DUNCAN, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Marc Pierre Hall, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marc Pierre Hall petitions for a writ of mandamus seeking an order directing the district court to rule on outstanding and new 28 U.S.C. § 2255 (2012) claims that he wishes to file. We conclude that Hall is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. U.S. 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 Hall is not available by way of mandamus. Accordingly, although we grant leave to proceed in forma pauperis, we deny the petition and amended petition for writ of mandamus. We deny Hall's motion to moot a district court order. 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