UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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No. 15-1367

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In re: SHAHEEN CABBAGESTALK,

                Petitioner.

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On Petition for Writ of Mandamus.
(No. 5:14-cv-03771-RMG-KDW)

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Submitted: July 23, 2015   Decided: July 27, 2015

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Before NIEMEYER and KING, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Shaheen Cabbagestalk, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shaheen Cabbagestalk petitions for a writ of mandamus seeking an order directing the dismissal of state criminal indictments against him. We conclude that Cabbagestalk 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). Further, this court does not have jurisdiction to grant mandamus relief against state officials, Gurley v. Superior Court of Mecklenburg Cnty., 411 F.2d 586, 587 (4th Cir. 1969), and does not have jurisdiction to review final state court orders, Dist. of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 482 (1983).

The relief sought by Cabbagestalk 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 contentions are

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

<u>PETITION DENIED</u>