

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-1758

In re: CORNELIUS ALVIN NOBLES,

Petitioner.

On Petition for Writ of Mandamus.
(5:15-hc-02129-FL)

Submitted: October 15, 2015

Decided: October 19, 2015

Before WILKINSON, AGEE, and HARRIS, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Cornelius Alvin Nobles, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cornelius Alvin Nobles petitions for a writ of mandamus seeking an order directing the district court to vacate his state convictions for first-degree murder and six counts of discharging a firearm onto occupied property and to order his unconditional release from prison. We conclude that Nobles 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: (1) the petitioner has a "clear and indisputable" right to the relief sought and (2) there are no other means by which the relief sought could be granted. Moussaoui, 333 F.3d at 517. We conclude that Nobles has failed to satisfy either requirement.

Accordingly, although we grant leave to proceed in forma pauperis, we deny Nobles' petition for a 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