

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-1783

In re: DAVID HAROLD JOHNSON

Petitioner.

On Petition for Writ of Mandamus.
(No. 5:15-hc-02130-BO)

Submitted: October 20, 2015

Decided: October 22, 2015

Before MOTZ, KEENAN, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

David Harold Johnson, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Harold Johnson petitions for a writ of mandamus, directing the district court to immediately vacate Johnson's state court convictions. Such relief is not available by way of mandamus. See In re First Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988) (holding mandamus petitioner must have clear right to relief sought); In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007) (holding mandamus is not substitute for appeal). Accordingly, we grant leave to proceed in forma pauperis and deny the mandamus petition. 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