

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1818

In Re: TARA CHAND SINGHAL,

Petitioner.

On Petition for Writ of Mandamus.
(1:12-cv-00708-CMH-JFA)

Submitted: December 6, 2016 Decided: December 21, 2016

Before WILKINSON and MOTZ, Circuit Judges, and DAVIS, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Tara Chand Singhal, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tara Chand Singhal filed a petition for a writ of mandamus, seeking: (1) an order voiding the district court's order granting the Defendant's motion to dismiss the complaint in this action; and (2) transfer of the action to a different district court judge. We deny the petition.

Mandamus is a drastic remedy that 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). Relief is available only when the petitioner has demonstrated 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).

Because Singhal has not made the requisite showing, we deny the mandamus petition. We dispense with oral argument because the facts and legal arguments are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED