

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 17-1583**

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In re: FRANKLIN C. SMITH,

Petitioner.

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On Petition for Writ of Mandamus.

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Submitted: August 24, 2017

Decided: August 28, 2017

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Before GREGORY, Chief Judge, and SHEDD and DIAZ, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Franklin C. Smith, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Franklin C. Smith petitions for a writ of mandamus, seeking to compel the Commissioner of the Social Security Administration to reveal the name of an employee who allegedly discriminated against Smith and terminated Smith's disability benefits because Smith is a white male. 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).

Smith presents no evidence that "there are no other adequate means to attain the relief he desires," such as a motion for discovery, to compel, or for issuance of a subpoena. *In re Braxton*, 258 F.3d 250, 261 (4th Cir. 2001) (internal quotation marks omitted) (setting forth standard for granting writ of mandamus). Thus, the relief sought by Smith is not available by way of mandamus, and we deny his 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*