

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1593

In re: CELESTE G. BROUGHTON, a/k/a Celeste Gold Broughton,

Petitioner.

On Petition for Writ of Mandamus
(No. 5:16-cv-00302-BO)

Submitted: June 20, 2017

Decided: June 22, 2017

Before SHEDD, WYNN, and DIAZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Celeste G. Broughton, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Celeste G. Broughton petitions for a writ of mandamus seeking an order compelling the district court to cancel a scheduled hearing and hold a jury trial, and compelling recusal of the district court judge. We conclude that Broughton 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). Here, the district court granted Broughton's motion to cancel the hearing and transferred the case to a different district court judge. Therefore, Broughton's request for a writ of mandamus regarding those issues is moot.

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

PETITION DENIED