

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1657

In re: ARMANDO DESPAIGNE ZULVETA,

Petitioner.

On Petition for Writ of Mandamus. (6:15-cv-02880-HMH-KFM)

Submitted: August 17, 2017

Decided: August 21, 2017

Before KEENAN, THACKER, and HARRIS, Circuit Judges.

Petitions denied by unpublished per curiam opinion.

Armando Despaigne Zulveta, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Armando Despaigne Zulveta petitions for a writ of mandamus following the dismissal of his civil complaint. Zulveta seeks an order from this court correcting various mistakes allegedly made by the district court, directing the district court to recuse itself, and granting his request to transfer his civil case to another circuit. We conclude that Zulveta 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 of Durham*, 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).

The relief sought by Zulveta is not available by way of mandamus. Accordingly, although we grant leave to proceed in forma pauperis, we deny the petitions for writ of mandamus. We further deny Zulveta's motions to recuse. 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.

PETITIONS DENIED