

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1115

In re: PERCY JAMES TUCKER,

Petitioner.

On Petition for Writ of Mandamus. (2:09-cr-00182-AWA-DEM-1)

Submitted: May 3, 2018

Decided: May 23, 2018

Before MOTZ, KEENAN, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Percy James Tucker, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Percy James Tucker petitions for a writ of mandamus asking this Court to find that the district court erred. 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). The party seeking issuance of the writ must have no other adequate means to attain relief, and he bears the burden of showing that his right to the writ is clear and indisputable. *Moussaoui*, 333 F.3d at 517 (citations omitted). We have reviewed the petition and conclude that Tucker fails to make this showing. Accordingly, although we grant Tucker's motion to supplement his petition and 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