

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1147

In re: JAMES G. BLAKELY,

Petitioner.

On Petition for Writ of Mandamus. (4:07-cv-02012-MBS)

Submitted: June 27, 2018

Decided: July 17, 2018

Before WILKINSON, TRAXLER, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

James G. Blakely, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James G. Blakely filed a petition for a writ of mandamus and an amended petition for a writ of mandamus, asserting numerous challenges to his state prosecution and postconviction proceedings and seeking acquittal. We conclude that Blakely 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).

The relief sought by Blakely is not available by way of mandamus. 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