

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1362

In re: ROBERT NEIL SAMPSON,

Petitioner.

On Petition for Writ of Mandamus. (8:13-cr-00357-RWT-1)

Submitted: August 14, 2018

Decided: August 21, 2018

Before TRAXLER, AGEE, and FLOYD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Robert Neil Sampson, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Neil Sampson petitions for a writ of mandamus seeking an order disqualifying the district court judge presiding over his 28 U.S.C. § 2255 (2012) motion. We conclude that Sampson 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). Sampson's allegations do not meet these standards.

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