UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1840

In re: ALFRED LEE MAULDIN,

    Petitioner.

On Petition for Writ of Mandamus. (5:17-cv-02312; 5:17-cv-02626)

Submitted: October 18, 2018   Decided: October 22, 2018

Before GREGORY, Chief Judge, KEENAN, Circuit Judge, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Alfred Lee Mauldin, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Alfred Lee Mauldin petitions for a writ of mandamus seeking an order directing the Bureau of Prisons to recalculate his earned statutory good time credit and hold an administrative hearing. We conclude that Mauldin 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).

Mauldin filed a 28 U.S.C. § 2241 (2012) petition in which he raised the good time issue, and that petition is still pending in the district court. The Respondent in that habeas proceeding was ordered to show cause why habeas relief should not be granted—which the Respondent did—and, on April 30, 2018, the district court referred the matter to a magistrate judge for a recommended disposition. Thus, the good time credit issue is under consideration in the district court, and only four months have passed since the matter was referred to the magistrate judge.

Accordingly, although we grant Mauldin's application to proceed in forma pauperis, we deny mandamus relief. We also deny Mauldin's motion for injunctive relief. 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