

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 18-2379**

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In re: JAMES F. BADGETT,

Petitioner.

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On Petition for Writ of Mandamus. (5:18-ct-03279-D)

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Submitted: April 4, 2019

Decided: April 8, 2019

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Before NIEMEYER and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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James F. Badgett, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James F. Badgett, a criminal defendant presently subject to pretrial commitment, pursuant to 18 U.S.C. §§ 4241(d), 4246(a) (2012), petitions for a writ of mandamus seeking an order directing the district court to terminate his commitment and order his release. “[M]andamus is a drastic remedy that should only be used in extraordinary circumstances and may not be used as a substitute for appeal.” *In re Lockheed Martin Corp.*, 503 F.3d 351, 353 (4th Cir. 2007). We grant mandamus relief only when the petitioner has no other adequate means to attain the desired relief, the petitioner shows a clear and indisputable right to that relief, and we deem the writ appropriate under the circumstances. *In re Murphy-Brown, LLC*, 907 F.3d 788, 795 (4th Cir. 2018). Because there is no evidence of undue delay by the district court in any of Badgett’s pending cases, and he has not demonstrated a clear right to mandamus relief, we deny the petition. 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*