

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-2119

In re: JONATHAN CORNISH,

Petitioner.

On Petition for Writ of Mandamus.
(1:07-cr-00592-RDB-1, 1:07-cr-00604-RDB-1)

Submitted: December 20, 2019

Decided: January 6, 2020

Before AGEE, KEENAN, and DIAZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Jonathan Cornish, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jonathan Cornish petitions for a writ of mandamus seeking an order compelling modification of his sentence. We conclude that Cornish 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 Murphy-Brown, LLC*, 907 F.3d 788, 795 (4th Cir. 2018). Mandamus may not be used as a substitute for appeal. *In re Lockheed Martin Corp.*, 503 F.3d 351, 353 (4th Cir. 2007).

The relief sought by Cornish 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