

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-2175**

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In re: RAPHAEL MENDEZ,

Petitioner.

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On Petition for Writ of Mandamus. (5:91-hc-00350-BR)

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Submitted: January 23, 2020

Decided: January 27, 2020

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Before WYNN, DIAZ, and RICHARDSON, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Raphael Mendez, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Raphael Mendez petitions for a writ of mandamus seeking an order directing Senior Judge Britt to recuse himself. We conclude that Mendez 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).

Mendez fails to show that he has a clear right to the relief sought. 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*