

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

---

**No. 20-2109**

---

In re: DEANDRE JOHNSON,

Petitioner.

---

On Petition for Writ of Mandamus. (2:19-cv-00562-RAJ-LRL)

---

Submitted: December 22, 2020

Decided: December 29, 2020

---

Before NIEMEYER, FLOYD, and RICHARDSON, Circuit Judges.

---

Petition denied by unpublished per curiam opinion.

---

Deandre Johnson, Petitioner Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Deandre Johnson petitions for a writ of mandamus, seeking an order directing the district court to comply with Supreme Court precedent and afford due process to Virginia prisoners. We conclude that Johnson is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. *Cheney v. U.S. Dist. Ct.*, 542 U.S. 367, 380 (2004); *In re Murphy-Brown, LLC*, 907 F.3d 788, 795 (4th Cir. 2018). Mandamus relief is available only when the petitioner has a clear right to the relief sought. *Murphy-Brown*, 907 F.3d at 795. Further, 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 Johnson is not available by way of mandamus. Instead, the arguments that Johnson now presents should be first raised, if at all, in pursuing 28 U.S.C. § 2254 relief in the district court.

Accordingly, 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*