

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-2316

In re: PERCY JAMES TUCKER,

Petitioner.

On Petition for Writ of Mandamus. (2:09-cr-00182-AWA-DEM-1)

Submitted: February 4, 2021

Decided: April 19, 2021

Before MOTZ, KEENAN, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Percy James Tucker, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Percy James Tucker petitions for a writ of mandamus, asking us to order the district court to file and consider motions in his closed criminal case. “[M]andamus is a drastic remedy that must be reserved for extraordinary situations.” *In re Murphy-Brown, LLC*, 907 F.3d 788, 795 (4th Cir. 2018) (internal quotation marks and citations omitted). “Courts provide mandamus relief only when (1) petitioner ‘ha[s] no other adequate means to attain the relief [he] desires’; (2) petitioner has shown a ‘clear and indisputable’ right to the requested relief; and (3) the court deems the writ ‘appropriate under the circumstances.’” *Id.* (quoting *Cheney v. U.S. Dist. Court*, 542 U.S. 367, 380-81 (2004)). The writ of mandamus is not a substitute for appeal after final judgment. *Will v. United States*, 389 U.S. 90, 97 (1967); *In re Lockheed Martin Corp.*, 503 F.3d 351, 353 (4th Cir. 2007).

We have reviewed Tucker’s petition and amended petition, and we conclude that he fails to show that he is entitled to the requested relief. Accordingly, we deny the petition and amended petition for a writ of mandamus. We deny the motion for release as moot. 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