

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-1785

In re: LEANTHONY WINSTON, a/k/a Locks, a/k/a Lee Lee,
Petitioner.

On Petition for Writ of Mandamus
(No. 2:20-cr-00108-RGD-DEM-1)

Submitted: October 19, 2021

Decided: November 2, 2021

Before AGEE, WYNN, and RICHARDSON, Circuit Judges.

Petition denied by unpublished per curiam opinion.

LeAnthony Winston, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

LeAnthony Winston petitions for a writ of mandamus seeking an order directing the district court to dismiss the indictments in his criminal case. We conclude that Winston 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). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought and “has no other adequate means to attain the relief [he] desires.” *Murphy-Brown*, 907 F.3d at 795 (alteration and internal quotation marks omitted). 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 Winston is not available by way of mandamus. Accordingly, we deny the petition.

We deny Winston’s motions for release from pretrial detention, a temporary restraining order, and a stay pending appeal. 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