

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-1501

In re: NORMAN PAUL FELTS,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the Eastern District of North Carolina, at Raleigh. (5:21-hc-02111-FL)

Submitted: September 20, 2023

Decided: October 6, 2023

Before AGEE and BENJAMIN, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Normal Paul Felts, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Norman Paul Felts petitions for a writ of mandamus seeking an order from this court directing the district court to permit him to appeal the district court's order finding that he is a sexually dangerous person and committing him to the custody of the Attorney General. Felts has also filed a motion to expedite the decision. We conclude that Felts 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). To the extent Felts seeks an order directing that he be permitted to appeal, his appeal of the district court's order has been docketed in this court as *United States v. Felts*, No. 23-6894, so his request is moot. To the extent he seeks to challenge the district court's dangerousness finding by way of mandamus, we deny the petition because Felts may raise these arguments in his appeal of the district court's order.

Accordingly, we deny the petition for writ of mandamus and deny the motion to expedite. 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