

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-1624

In re: KENNETH ROSHAUN REID,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the District of South Carolina, at Rock Hill. (0:04-cr-00353-CMC-1)

Submitted: July 17, 2023

Decided: August 10, 2023

Before KING and QUATTLEBAUM, Circuit Judges, and FLOYD, Senior Circuit Judge.

Petitions denied by unpublished per curiam opinion.

Kenneth Roshaun Reid, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenneth Roshaun Reid petitions for a writ of mandamus, seeking an order from this court directing the district court to issue a ruling on his motions vacated in a prior appeal and ordering his release from custody. We conclude that Reid 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 (cleaned up). 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 Reid is not available by way of mandamus. Accordingly, we deny the petitions for a 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.

PETITIONS DENIED