

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-1845**

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In re: GARY BUTERRA WILLIAMS,

Petitioner.

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On Petition for Writ of Mandamus to the United States District Court for the Eastern District of Virginia, at Richmond. (3:23-cv-00235-HEH-MRC)

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Submitted: September 28, 2023

Decided: October 3, 2023

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Before NIEMEYER, THACKER, and RUSHING, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Gary Buterra Williams, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gary Buterra Williams petitions for a writ of mandamus seeking an order instructing the district court to consider the merits of his successive 28 U.S.C. § 2254 petition and directing District Judge Hudson to recuse himself. We conclude that Williams 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). And 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 Williams is not available by way of mandamus. In particular, while mandamus may be used to seek recusal of a district judge, *see In re Beard*, 811 F.2d 818, 827 (4th Cir. 1987), Williams’ conclusory assertions of bias are insufficient to warrant recusal, *see Belue v. Leventhal*, 640 F.3d 567, 572-73 (4th Cir. 2011). Accordingly, we deny the petition for writ of mandamus and Williams’ motion for appointment of counsel. 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*