



As it appears that the petitioner seeks review of the propriety of the judgments issued by the United States District Court for the District of Colorado, or United States Court of Appeals for the Tenth Circuit, this Court lacks such jurisdiction. *See* 28 U.S.C. §§ 1331, 1332 (scope of jurisdiction for all district courts); *Cobb v. United States*, 104 F. Supp. 3d 61, 65 (D.D.C. 2015); *United States v. Choi*, 818 F. Supp. 2d 79, 85 (D.D.C. 2011) (“[A]s a district court is a trial level court in the federal judicial system[,] [i]t generally lacks appellate jurisdiction over other judicial bodies, and cannot exercise appellate mandamus over other courts.”) (citations omitted).

To the extent that the petition can be construed as seeking a writ of mandamus against the DEA, it is denied. A writ of mandamus “compel[s] an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.” 28 U.S.C. § 1361. “[M]andamus is ‘drastic’; it is available only in ‘extraordinary situations.’” *In re Cheney*, 406 F.3d 723, 729 (D.C. Cir. 2005) (citations omitted). Only if “(1) the plaintiff has a clear right to relief; (2) the defendant has a clear duty to act; and (3) there is no other adequate remedy available to the plaintiff,” *Thomas v. Holder*, 750 F.3d 899, 903 (D.C. Cir. 2014), is mandamus relief granted. Petitioner does not address any of these elements, and petitioner does, in fact, have alternative and adequate remedies to mandamus, namely, by filing suit pursuant to FOIA, or if relevant, the Privacy Act, 5 U.S.C. § 552a. *See Sanchez–Alanis v. Federal Bureau of Prisons*, 270 F. Supp. 3d 215, 217 n.1 (D.D.C. 2017) (holding that FOIA and the Privacy Act provide adequate remedy for petitioner’s claims for release of agency records and, therefore, mandamus relief was not available).

For these reasons, the Court will dismiss the mandamus petition without prejudice. An order accompanies this memorandum opinion.

A handwritten signature in black ink, reading "Dabney L. Friedrich". The signature is written in a cursive style with a large initial "D".

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DABNEY L. FRIEDRICH  
United States District Judge

DATE: October 15, 2020