

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

WAYLAND DEE KIRKLAND,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 20-2945 (UNA)
	)	
WILLIAM BARR <i>et al.</i> ,	)	
	)	
Respondents.	)	

**MEMORANDUM OPINION**

Petitioner, appearing *pro se*, has filed a Petition for Writ of Mandamus and an application to proceed *in forma pauperis*. The Court will grant the application and dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) (requiring dismissal of a case upon a determination that the complaint fails to state a claim upon which relief may be granted).

A writ of mandamus is available to compel an “officer or employee of the United States or any agency thereof to perform a duty owed to plaintiff.” 28 U.S.C. § 1361. Mandamus actions are reserved for “extraordinary situations.” *In re Cheney*, 406 F.3d 723, 729 (D.C. Cir. 2005) (internal quotation marks omitted). Mandamus relief is warranted where “(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.” *Power v. Barnhart*, 292 F.3d 781, 784 (D.C. Cir. 2002) (citations and internal quotation marks omitted). The “word ‘duty’ in § 1361 must be narrowly defined, and [the] legal grounds supporting the government’s duty to [petitioner] must ‘be clear and compelling.’ ” *In re Cheney*, 406 F.3d at 729 (citations omitted). The petitioner bears the burden of showing that his right to the writ is “clear and indisputable.” *Id.* Even if the

