

discovery in the context of such a proceeding. Thus, this petition must be dismissed as mandamus is not Nichols' only remedy.

Because Nichols has other adequate means by which to pursue his overall goal of challenging the validity of his conviction, he cannot demonstrate that the extraordinary relief he seeks here is warranted. Accordingly, his petition for a writ of mandamus shall be, and it hereby is, dismissed without prejudice. An appropriate order will issue this day.

The Clerk is directed to send copies of this memorandum opinion and accompanying order to plaintiff.

ENTER: This 3rd day of February, 2010.



United States District Judge