

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 29, 2017

Elisabeth A. Shumaker
Clerk of Court

In re: BLANCA TELEPHONE
COMPANY,

Petitioner.

No. 17-1451
(No. FCC 17-162)

ORDER

Before **HARTZ, PHILLIPS**, and **MORITZ**, Circuit Judges.

Blanca Telephone Company filed a petition for writ of mandamus, asking this court to intervene in a proceeding before the FCC. It also filed an emergency motion for stay of an FCC order pending a ruling on the mandamus petition; we denied the emergency stay motion by order dated December 28, 2017. We now deny mandamus relief.

Mandamus is a drastic remedy that should be invoked only in extraordinary circumstances. *In re Cooper Tire & Rubber Co.*, 568 F.3d 1180, 1186 (10th Cir. 2009). And “[a]lthough a simple showing of error may suffice to obtain reversal on direct appeal, a greater showing must be made to obtain a writ of mandamus.” *Id.* (internal quotation marks omitted). Before this court grants this drastic remedy, we must be satisfied, at a minimum, that there is no adequate alternative means for the relief Blanca seeks, that its right to mandamus relief is clear and indisputable, and that issuance of the writ is appropriate. *Id.* at 1187. After reviewing all the materials, we determine that

Blanca has not met these requirements. Accordingly, the petition for writ of mandamus is denied.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a long horizontal flourish.

ELISABETH A. SHUMAKER, Clerk