

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-1186

In re: AZANIAH BLANKUMSEE,

Petitioner.

On Petition for Writ of Mandamus. (8:19-cv-00175-DKC; 8:16-cv-03436-PWG;
8:18-cv-00106-PWG)

Submitted: May 23, 2019

Decided: May 28, 2019

Before KING and RICHARDSON, Circuit Judges, and SHEDD, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Azaniah Blankumsee, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Azaniah Blankumsee petitions for a writ of mandamus seeking an order from this court directing the district court judge to recuse himself from adjudicating Blankumsee's legal proceedings. We conclude that Blankumsee is not entitled to mandamus relief.

Mandamus is a drastic remedy and should be used only in extraordinary circumstances. *Kerr v. U.S. Dist. Ct.*, 426 U.S. 394, 402 (1976); *United States v. Moussaoui*, 333 F.3d 509, 516-17 (4th Cir. 2003). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought. *In re First Fed. Sav. & Loan Ass'n of Durham*, 860 F.2d 135, 138 (4th Cir. 1988).

We have reviewed Blankumsee's petition and conclude that he has not established the existence of extraordinary circumstances warranting mandamus relief. "[J]udicial rulings alone almost never constitute a valid basis for a bias or partiality motion." *Liteky v. United States*, 510 U.S. 540, 555 (1994). Moreover, mandamus may not be used as a substitute for appeal, *In re Lockheed Martin Corp.*, 503 F.3d 351, 353 (4th Cir. 2007). Accordingly, we deny Blankumsee's petition for a writ of mandamus and his motion for a certificate of appealability. 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