

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-1291

In re: MICHAEL RANKINS,

Petitioner.

On Petition for Writ of Mandamus. (2:14-cr-00003-FL-1)

Submitted: July 20, 2021

Decided: July 22, 2021

Before WILKINSON, AGEE, and DIAZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Michael Rankins, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Rankins petitions for a writ of mandamus seeking an order directing the district court to rule on his motion for DNA testing pursuant to 18 U.S.C. § 3600. We conclude that Rankins is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. *Cheney v. U.S. Dist. Ct.*, 542 U.S. 367, 380 (2004); *In re Murphy-Brown, LLC*, 907 F.3d 788, 795 (4th Cir. 2018). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought and “has no other adequate means to attain the relief [he] desires.” *Murphy-Brown*, 907 F.3d at 795 (alteration and internal quotation marks omitted). And, mandamus may not be used as a substitute for appeal. *In re Lockheed Martin Corp.*, 503 F.3d 351, 353 (4th Cir. 2007).

The relief sought by Rankins is not available by way of mandamus. Accordingly, we deny the petition for writ of mandamus. 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