

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-1355

In re: DAVID HALL CRUM,

Petitioner,

No. 21-1356

In re: DAVID HALL CRUM,

Petitioner.

On Petitions for Writs of Mandamus. (5:20-cv-00658; 5:20-cv-00655)

Submitted: August 19, 2021

Decided: August 23, 2021

Before MOTZ, AGEE, and WYNN, Circuit Judges.

Petitions denied by unpublished per curiam opinion.

David Hall Crum, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

District of Columbia Code offender David Hall Crum filed identical petitions for writs of mandamus and supplemental petitions for writs of mandamus, concerning his 28 U.S.C. § 2241 petition and his complaint filed pursuant to *Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971). Crum challenges the magistrate judges' handling of the underlying proceedings and seeks direct review of his § 2241 petition and his *Bivens* action in this court, and damages. We conclude that Crum 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). Mandamus may not be used as a substitute for appeal. *In re Lockheed Martin Corp.*, 503 F.3d 351, 353 (4th Cir. 2007).

It appears Crum attempts to substitute mandamus for direct appeal. Accordingly, we deny the petitions for writs of mandamus and all supplemental petitions for writs 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.

PETITIONS DENIED