

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-1792

In re: JACOB E. QUEERN,

Petitioner.

On Petition for Writ of Mandamus. (2:19-cv-00485-RBS-LRL)

Submitted: September 14, 2021

Decided: September 17, 2021

Before THACKER and RICHARDSON, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Jacob E. Queern, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jacob E. Queern petitions for a writ of mandamus seeking an order enforcing his rights under the Crime Victims' Rights Act, 18 U.S.C. § 3771, and resolving his claims against the defendants in a pending action. We conclude that Queern 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 Queern is not available by way of mandamus. Accordingly, we deny the petition for writ of mandamus and Queern's pending motions. 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