

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1352

In re: SHAOMING SONG,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the District of Maryland, at Baltimore. (1:24-cv-03394-GLR)

Submitted: May 22, 2025

Decided: May 28, 2025

Before KING, AGEE, and WYNN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Shaoming Song, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shaoming Song has filed a petition for a writ of mandamus in which he asks this court to review the district court judge's refusal to recuse himself from adjudicating the underlying civil action. Song seeks an order (1) directing the district court judge to recuse himself from the underlying action; and (2) assigning a new judge to preside over Song's case. We conclude that Song 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 (cleaned up).

"A district judge's refusal to disqualify himself can be reviewed in this circuit by way of a petition for a writ of mandamus." *In re Beard*, 811 F.2d 818, 827 (4th Cir. 1987). However, "[a] writ of mandamus will not issue when all that is shown is that the district court abused its discretion when making [a] challenged ruling." *Id.* at 826.

We have considered Song's petition and conclude that he fails to establish a "clear and indisputable" right to obtaining the relief he seeks. Accordingly, we deny the petition for a 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