

UNPUBLISHED**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 26-1312

In re: CLARENCE HICKS, JR.,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the District of Maryland, at Baltimore. (1:24-cv-00623-MJM)

Submitted: June 17, 2026

Decided: July 10, 2026

Before KING and BENJAMIN, Circuit Judges, and KEENAN, Senior Circuit Judge.

Petition dismissed in part and denied in part by unpublished per curiam opinion.

Clarence Hicks, Jr., Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clarence Hicks, Jr., petitions for a writ of mandamus, seeking an order from this court directing the district court to rule on his motion to compel. Hicks also requests that this court lift the district court's grant to Defendants of "indefinite leave to reply."

Our review of the district court's docket reveals that the court denied Hicks' motion to compel on May 1, 2026. Accordingly, we dismiss this portion of the mandamus petition as moot.

Considering the remainder of the mandamus petition, we observe that mandamus relief is a drastic remedy to 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). Such 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 (citation modified). Mandamus may not be used as a substitute for appeal. *In re Lockheed Martin Corp.*, 503 F.3d 351, 353 (4th Cir. 2007). Hicks is not entitled to mandamus relief in the form of an order lifting a grant to Defendants of indefinite leave to reply. Accordingly, we deny this portion of the mandamus petition.

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 DISMISSED IN PART, DENIED IN PART