

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-1808**

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In re: ABDULLAH RASOOL SHAKOOR,

Petitioner.

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On Petition for a Writ of Mandamus.  
(7:97-cr-00064-BO)

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Submitted: September 28, 2010

Decided: October 1, 2010

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Before WILKINSON, SHEDD, and DAVIS, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Abdullah Rasool Shakoor, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Abdullah Shakoor petitions for a writ of mandamus seeking an order instructing the district court to act on his Fed. R. Civ. P. 60(b) motion. We conclude that Shakoor is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976); United States v. Moussaoui, 333 F.3d 509, 516-17 (4th Cir. 2003). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought. In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988).

Mandamus may not be used as a substitute for appeal. In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007). Here, the record reflects that the district court acted on Shakoor's Rule 60(b) motion on October 29, 2009. Though Shakoor asserts that the district court failed to act on the entirety of his claims, our review of the district court's order indicates that the court denied all claims raised by Shakoor. Further relief 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 the court and argument would not aid the decisional process.

PETITION DENIED