

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-2306**

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In re: DONTA VAUGHN,

Petitioner.

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On Petition for a Writ of Mandamus  
(1:10-cr-00404-RDB-1; 1:11-cv-00156-RDB)

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Submitted: February 1, 2012

Decided: February 16, 2012

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Before KING and DAVIS, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Donta Vaughn, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Donta Vaughn petitions for a writ of mandamus seeking an order directing his immediate release. We conclude that Vaughn 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).

The relief sought by Vaughn is not available by way of mandamus. Accordingly, we deny the petition for writ of mandamus. We also deny Vaughn's pending motions to place documents under seal and to order his immediate release. 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