

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1176

In re: GARY IVAN TERRY,

Petitioner.

On Petition for Writ of Prohibition. (1:14-mc-00042-TDS-JLW)

Submitted: May 18, 2018

Amended: May 29, 2018

Decided: May 25, 2018

Before TRAXLER, KING, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Gary Ivan Terry, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gary Ivan Terry petitions for a writ of prohibition, seeking an order invalidating the registration of a judgment against him. He also has moved for the disqualification of all of the judges of this court and the transfer of this petition to a different circuit court. We deny the motion to recuse the judges of this court because Terry has not identified any basis for disqualification.

“[A] writ of prohibition is a drastic and extraordinary remedy which should be granted only when the petitioner has shown his right to the writ to be clear and undisputable,” *In re Vargas*, 723 F.2d 1461, 1468 (10th Cir. 1983), and that there are no other adequate means of relief, *In re Bankers Trust Co.*, 775 F.2d 545, 547 (3d Cir. 1985). Moreover, a writ of prohibition may not be used as a substitute for appeal. *Vargas*, 723 F.2d at 1468.

Terry has failed to demonstrate that he is entitled to the relief he seeks. Accordingly, we deny the petition for writ of prohibition. We also deny Terry’s motion to use his wages—which are under a garnishment order—to pay his filing fee and to retain counsel. 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