UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 26-1879

In re: WALTER BRITT GARRISON,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the Eastern District of North Carolina, at Raleigh. (5:25-hc-02176-M)

Submitted: August 27, 2026 Decided: September 1, 2026

Before KING, HEYTENS, and BENJAMIN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Walter Britt Garrison, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

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PER CURIAM:

Walter Britt Garrison petitions this court for a writ of mandamus, seeking "a substitution trustee . . . to perform an extinguishment and a full accounting," in his 28 U.S.C. § 2254 proceedings. Garrison has separately appealed the district court's order dismissing his § 2254 petition as untimely filed. Garrison claims to be "invoking a court of inherent equity to protect the interests of a private trust." He asserts that, because the court "does not have jurisdiction in equity [to] rule on a private trust, this matter must be abated or dismissed." We conclude that Garrison 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 (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).

The relief sought by Garrison 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 this court and argument would not aid the decisional process.

PETITION DENIED