

UNPUBLISHED**UNITED STATES COURT OF APPEALS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

No. 24-1914

In re: NYAH SEKEL,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the Eastern District of Virginia, at Alexandria. (1:23-cv-00706-RDA-WEF)

Submitted: October 22, 2024

Decided: October 24, 2024

Before KING and WYNN, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Nyah Sekel, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Nyah Sekel petitions for a writ of mandamus, seeking an order from this court directing the district court to grant her motion for summary judgment pending in her civil action brought under the Fair Housing Act. We conclude that Sekel 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). Mandamus relief, further, is available only when the petitioner has a clear right to the relief sought and “has no other adequate means to attain the relief [the petitioner] desires.” *Murphy-Brown*, 907 F.3d at 795 (cleaned up). 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 Sekel is not available by way of mandamus. Accordingly, we deny the petition for a 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

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

NYAH SEKEL,)
)
Plaintiff,)
)
v.) Civil Action No. 1:23-cv-706 (RDA/WEF)
)
CH MF BTH II, *et al.*,)
)
Defendants.)

ORDER

This matter comes before the Court on Plaintiff Nyah Sekel's ("Plaintiff") Motions for Summary Judgment (Dkt. Nos. 26; 27). Given that Defendants had not yet responded to Plaintiff's Amended Complaint by the time that Plaintiff filed her Motions, it is hereby ORDERED that Plaintiff's Motions for Summary Judgment (Dkt. Nos. 26; 27) are DENIED WITHOUT PREJUDICE TO RENEWAL as PREMATURE.

It is SO ORDERED.

Alexandria, Virginia
March 8, 2024

/s/ 
Rossie D. Alston, Jr.
United States District Judge