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In Re: Ernest Woodall

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 22-1703

IN RE: ERNEST WOODALL,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Western District of Pennsylvania
(Related to Civ. No. 2-11-cv-00607)

Submitted Pursuant to Rule 21, Fed. R. App. P.
May 12, 2022
Before: MCKEE¹, GREENAWAY, JR., and PORTER, Circuit Judges

(Opinion filed: November 7, 2022)

OPINION*

PER CURIAM

Ernest Woodall has filed a petition for a writ of mandamus asking us to order the District Court to hold an evidentiary hearing on a habeas claim we have already rejected. We will deny the petition.

¹ Judge McKee assumed senior status on October 21, 2022.

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Woodall is serving a sentence of 32 to 80 years in prison after being convicted of four counts of attempted murder. After unsuccessfully challenging his convictions in state court, he filed a petition pursuant to 28 U.S.C. § 2254 in the District Court, raising, inter alia, a claim based on the Interstate Agreement on Detainers (“IAD”). The District Court denied the petition, and we denied Woodall’s request for a certificate of appealability. See C.A. No. 13-4721. Woodall has since filed two unsuccessful mandamus petitions seeking to reargue his IAD claim. See C.A. Nos. 14-4838 & 16-2788. In the petition before us, Woodall once again seeks to reargue his IAD claim.

Mandamus is an extraordinary remedy that we have the discretion to grant only when the petitioner has a “clear and indisputable” right to relief and no other adequate means to obtain it. In re Kensington Int’l Ltd., 353 F.3d 211, 219 (3d Cir. 2003). Woodall does not have a clear and indisputable right to a hearing on a meritless § 2254 claim that has already been litigated and rejected. Accordingly, we will deny the petition.