



2019 Decisions

Opinions of the United
States Court of Appeals
for the Third Circuit

6-13-2019

In re: Frederick Banks

Follow this and additional works at: https://digitalcommons.law.villanova.edu/thirdcircuit_2019

Recommended Citation

"In re: Frederick Banks" (2019). *2019 Decisions*. 477.
https://digitalcommons.law.villanova.edu/thirdcircuit_2019/477

This June is brought to you for free and open access by the Opinions of the United States Court of Appeals for the Third Circuit at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in 2019 Decisions by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 19-1922

In re: FREDERICK H. BANKS,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Western District of Pennsylvania
(Related to W.D. Pa. Crim. No. 2:15-cr-00168-001)

Submitted Pursuant to Rule 21, Fed. R. App. P.
May 9, 2019
Before: CHAGARES, RESTREPO and SCIRICA, Circuit Judges

(Opinion filed: June 13, 2019)

OPINION*

PER CURIAM

Charged with interstate stalking, 18 U.S.C. § 2261(a)(2), aggravated identity theft, 18 U.S.C. § 1028A(a)(1) and other crimes, Frederick Banks has been awaiting trial in the United States District Court for the Western District of Pennsylvania. Despite being represented by counsel, Banks has filed with the District Court innumerable pro se motions and miscellaneous writings. He has also filed with this Court several pro se

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

petitions for a writ of mandamus. See CA Nos. 19-1263; 18-3687; 18-3317; 18-3295; 18-1129; 18-1014; and 17-3754. Currently before the Court is Banks’s latest mandamus petition, which seeks disqualification of the District Judge and the prosecuting United States Attorney based on scattershot allegations of bias.

Banks has not presented even an arguable basis for mandamus relief, let alone the required showing that his right to such relief is “clear and indisputable.” Hollingsworth v. Perry, 558 U.S. 183, 190 (2010) (per curiam); see also SecuraComm Consulting, Inc. v. Securacom Inc., 224 F.3d 273, 278 (3d Cir. 2000) (noting the oft-stated proposition “that a party’s displeasure with legal rulings does not form an adequate basis for recusal”). Accordingly, his petition will be denied.¹

¹ Banks’s serial request that this Court “discharge[]” him from confinement and “terminate” his criminal case is denied. There is no basis for Banks to receive such relief at this time.