

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

In Re WILLIAM S. GRIFFIN, III,
Petitioner

2026-125

On Petition for Writ of Mandamus to the Merit Systems Protection Board in No. DC-0752-25-2887-I-1.

ON PETITION AND MOTION

Before TARANTO, MAYER, and STARK, *Circuit Judges*.

PER CURIAM.

ORDER

William S. Griffin, III filed a petition for a writ of mandamus asking the court to compel the Merit Systems Protection Board to decide his motion for default judgment and find the agency's failure to respond to that motion constitutes waiver of its opposition. The next day, the administrative judge issued an initial decision denying all relief requested by Mr. Griffin and dismissed his appeal. That decision states that it will become final on February 20, 2026, unless Mr. Griffin files a petition for the Board's review by that date. And it further describes how he may seek judicial review.

A writ of mandamus is an extraordinary remedy and may only issue if petitioner has shown a clear and indisputable right to relief and that there are no other adequate means to attain the relief desired—“a condition designed to ensure that the writ will not be used as a substitute for the regular appeals process.” *Love v. McDonough*, 100 F.4th 1388, 1393 (Fed. Cir. 2024) (quoting *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004)). Mr. Griffin has not satisfied those requirements here. The Board has since acted on his motion. And he may pursue any challenges on the merits of the denial of that relief by filing a petition for review after the Board enters a final decision.

Accordingly,

IT IS ORDERED THAT:

- (1) The petition is denied.
- (2) The motion to proceed *in forma pauperis* is granted.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

February 13, 2026
Date