

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 25-2189

IN RE: ELIZABETH COADY

On a Petition for Writ of Mandamus from the United States District Court
for the District of Delaware
(Related to D. Del. Civ. No. 1:25-cv-00669)

Submitted Pursuant to Rule 21, Fed. R. App. P.
July 3, 2025

Present: SHWARTZ, MATEY, and CHUNG, Circuit Judges

(Opinion filed: July 16, 2025)

OPINION

PER CURIAM

Elizabeth Coady filed a civil complaint in the United States District Court for the District of Delaware on May 30, 2025. Contemporaneously, she also a motion for a temporary restraining order (TRO). The complaint names a plethora of Defendants, including current and former government officials and agencies, universities, and private companies. Ms. Coady asserts that she has been implanted with experimental biomedical and bio-surveillance devices which have caused her harm. Her TRO motion requests that

the Defendants be prohibited from, amongst other things, activating and maintaining the electronic devices in her body.

On June 25, 2025, Ms. Coady filed a mandamus petition in this Court, complaining that the District Court failed to act on her pending TRO motion and “has not even seen fit to direct the United States Marshall’s Office to serve the complaint on the defendants, a clear violation of expectations.” C.A. No. 25-2189, Dkt. # 1 at 2.

A writ of mandamus is a drastic remedy available only in extraordinary circumstances. See In re Diet Drugs Prods. Liab. Litig., 418 F.3d 372, 378 (3d Cir. 2005). A writ should not issue unless the petitioner has “no other adequate means to attain the relief” sought and he has shown that his right to the writ is “clear and indisputable.” Id. at 378-79 (quoting Cheney v. United States Dist. Ct., 542 U.S. 367, 380-81 (2004)).

Although mandamus relief can be warranted when a court’s “undue delay is tantamount to a failure to exercise jurisdiction[,]” Madden v. Myers, 102 F.3d 74, 79 (3d Cir. 1996), Ms. Coady filed her mandamus petition a mere month after filing her complaint. The District Court granted her motion to proceed in forma pauperis on June 9, 2025. Nothing in the record suggests that the District Court will not address her TRO motion and complaint in due course.

Accordingly, Ms. Coady does not meet the requirements necessary to grant her petition for mandamus. Thus, her petition for writ of mandamus will be denied. Her motion to expedite is dismissed as moot.