

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 26-2937

IN RE: IFEOMA EZEKWO,
Petitioner

On a Petition for Writ of Mandamus to the
United States District Court for the District of New Jersey
(Related to 1:25-cv-17386)

Submitted Pursuant to Rule 21, Fed. R. App. P.
September 17, 2026

Before: *CHAGARES, Chief Judge, SHWARTZ, and RESTREPO, Circuit Judges*

(Opinion filed: October 28, 2026)

OPINION*

PER CURIAM

Ifeoma Ezekwo, proceeding pro se, has filed a petition for a writ of mandamus.
For the reasons below, we will deny the petition.

Ezekwo filed a complaint in the District Court against the state of New Jersey,
Bergen County, and various bankers associated with US Bank Trust, challenging the
allegedly improper foreclosure and seizure procedures that were initiated against Ezekwo

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

and her familial home. The District Court then filed, for informational purposes, an amended preclusion order that had previously been issued against Ezekwo in another case, Civ. No. 21-9936, which states that Ezekwo “routinely and frequently opens new actions in this District, alleging claims that appear to be duplicative of her numerous, earlier-filed lawsuits in this District, whether pending or previously adjudicated,” ECF Doc. 2 at 2, and allows the Court to screen any newly-initiated complaints to ensure they are not duplicative of the previous ones. Ezekwo filed an amended complaint on December 1, 2025. On August 14, 2026, the District Court issued a show cause order, requiring Ezekwo to demonstrate why her complaint should not be dismissed pursuant to the amended preclusion order. Ezekwo did not respond and, on September 9, 2026, the District Court dismissed her complaint with prejudice.

Meanwhile, on August 8, 2026, Ezekwo filed a mandamus petition in this Court, asking us to 1) issue summons to the defendants named in the complaint; 2) recuse and disqualify the District Court Judge from this and all future cases in which she’s involved ; and 3) vacate the amended preclusion order. A writ of mandamus is a “drastic remedy” that may be granted only in “extraordinary circumstances in response to an act amounting to a judicial usurpation of power.” *In re Diet Drugs Prods. Liab. Litig.*, 418 F.3d 372, 378 (3d Cir. 2005) (citation omitted). A petitioner must show that she has no other adequate means to obtain the relief desired, that she has a clear and indisputable right to the writ, and that the writ would be appropriate under the circumstances. *See Haines v. Liggett Grp. Inc.*, 975 F.2d 81, 89 (3d Cir. 1992); *see also Hollingsworth v. Perry*, 558 U.S. 183, 190 (2010) (per curiam).

Ezekwo has not met this burden. Since the District Court has now dismissed Ezekwo's complaint with prejudice, her request that we order the Court to issue summons is now moot. *See Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698–99 (3d Cir. 1996) (noting that “[i]f developments occur during the course of adjudication that . . . prevent a court from being able to grant the requested relief, the case must be dismissed as moot”). Ezekwo also seeks judicial recusal under 28 U.S.C. § 455, arguing, inter alia, that the amended preclusion order indicates the District Court Judge's bias against her. Our mandamus authority includes the power to order a District Court Judge to recuse in accordance with § 455. *See In re Antar*, 71 F.3d 97, 101 (3d Cir. 1995); *see also Alexander v. Primerica Holdings, Inc.*, 10 F.3d 155, 163 (3d Cir. 1993). But Ezekwo has not sufficiently demonstrated that the Judge's “impartiality might reasonably be questioned.” § 455(a). Ezekwo's disagreements with the Judge's rulings are not a sufficient basis to indicate bias or warrant recusal. *See Securacomm Consulting, Inc. v. Securacom Inc.*, 224 F.3d 273, 278 (3d Cir. 2000). Finally, Ezekwo seeks to have us vacate the amended preclusion order; however, she has not shown that she is unable to raise that issue on appeal. *See In re Nwanze*, 242 F.3d 521, 524 (3d Cir. 2001) (recognizing that mandamus may not be used as a substitute for the regular appeals process).

Accordingly, we will deny the petition for a writ of mandamus.