

BLD-197

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 26-3176

IN RE: ALBERT SEDGES,
Petitioner

On a Petition for Writ of Mandamus to the
United States District Court for the District of New Jersey
(Related to Civ. No. 2:26-cv-08597)

Submitted Pursuant to Rule 21, Fed. R. App. P.
September 3, 2026

Before: KRAUSE, MATEY, and BOVE, *Circuit Judges*

(Opinion filed: September 16, 2026)

OPINION*

PER CURIAM

Albert Sedges has filed a petition for a writ of mandamus. For the reasons that follow, we will deny the petition.

On July 13, 2026, Sedges filed a complaint in the United States District Court for the District of New Jersey. Two days later, he filed a motion to proceed in forma

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

pauperis. In August 2026, Sedges filed a mandamus petition requesting that we order the District Court to act on his motion to proceed in forma pauperis.

The writ of mandamus will issue only in extraordinary circumstances. *See Sporck v. Peil*, 759 F.2d 312, 314 (3d Cir. 1985). As a precondition to the issuance of the writ, Sedges must establish that there is no alternative remedy or other adequate means to obtain the desired relief and must demonstrate a clear and indisputable right to the relief sought. *Kerr v. U.S. Dist. Ct.*, 426 U.S. 394, 403 (1976). As a general rule, the manner in which a court disposes of cases on its docket is within its discretion. *See In re Fine Paper Antitrust Litig.*, 685 F.2d 810, 817 (3d Cir. 1982). Nonetheless, mandamus may be warranted where a District Court’s “undue delay is tantamount to a failure to exercise jurisdiction.” *Madden v. Myers*, 102 F.3d 74, 79 (3d Cir. 1996).

Here, there is no such undue delay. At the time Sedges filed his mandamus petition, the motion to proceed in forma pauperis had been pending in the District Court for only six weeks. We are confident that the District Court will adjudicate Sedges’ motion within an appropriate time. Accordingly, we will deny the petition for a writ of mandamus without prejudice to refile if the District Court has not acted on the motion in six months.