

HLD-030

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 26-3356

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-08974)

Submitted Pursuant to Rule 21, Fed. R. App. P.
September 24, 2026

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

(Opinion filed: October 23, 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 19, 2026, Sedges submitted a complaint and an application to proceed in forma pauperis (IFP) to the United States District Court for the District of New Jersey.

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

On September 17, 2026, Sedges filed this mandamus petition. In the petition, he asks that we direct the Clerk of the District Court to process, file, and docket his complaint and IFP application.

The writ of mandamus will issue only in extraordinary circumstances. *See Sporck v. Peil*, 759 F.2d 312, 314 (3d Cir. 1985). 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). Mandamus may be warranted, however, 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. The motion to proceed in forma pauperis had been pending in the District Court for only a little over 8 weeks at the time Sedges filed his mandamus petition. We are confident that the District Court will adjudicate Sedges' IFP motion within an appropriate time. Accordingly, we will deny the petition for writ of mandamus without prejudice to refiling should there be undue delay.