

THIS COPY FOR THE  
DISTRICT JUDGE

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

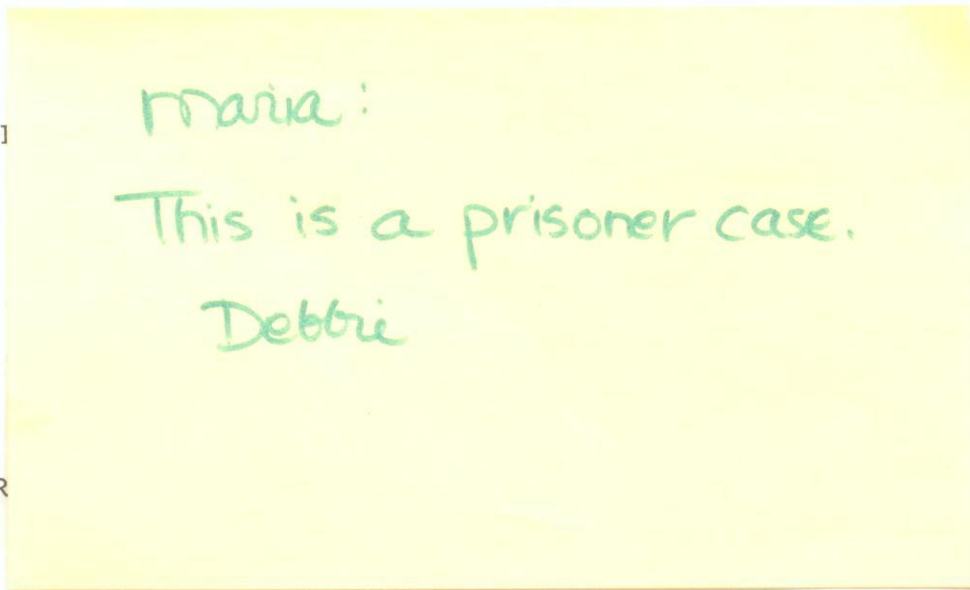
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No. 93-7285  
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MICHAEL R. FULLER,

Plaintiff - Appellant,

COMMONWEAL



lles.

MICHAEL R

llant,

versus

STATE OF MARYLAND; STATE OF VIRGINIA,

Respondents - Appellees.

\_\_\_\_\_  
Appeals from the United States District Court for the Eastern  
District of Virginia, at Richmond. Richard L. Williams, Senior  
District Judge. (CA-93-705, CA-93-708)

\_\_\_\_\_  
Submitted: February 25, 1994

Decided: April 29, 1994



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DISTRICT JUDGE

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 93-7285

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MICHAEL R. FULLER,

Plaintiff - Appellant,

versus

COMMONWEALTH OF VIRGINIA; STAFFORD COUNTY,

Respondents - Appellees.

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No. 93-7350

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MICHAEL R. FULLER,

Petitioner - Appellant,

versus

STATE OF MARYLAND; STATE OF VIRGINIA,

Respondents - Appellees.

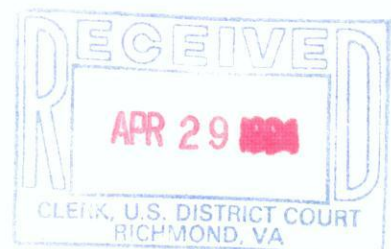
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Appeals from the United States District Court for the Eastern District of Virginia, at Richmond. Richard L. Williams, Senior District Judge. (CA-93-705, CA-93-708)

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Submitted: February 25, 1994

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Before HALL, WILKINSON, and WILLIAMS, Circuit Judges.

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No. 93-7285 affirmed and No. 93-7350 dismissed by unpublished per curiam opinion.

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Michael R. Fuller, Appellant Pro Se. Mark Ralph Davis, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit. See I.O.P. 36.5 and 36.6.

PER CURIAM:

Michael Fuller appeals from the district court's denial of his mandamus petition (No. 93-7285) and the denial of his request for a temporary restraining order (No. 93-7350).

Our review of the record and the district court's opinion discloses that the appeal in No. 93-7285 is without merit. Accordingly, we affirm on the reasoning of the district court. Fuller v. Virginia, No. CA-93-705 (E.D. Va. Nov. 5, 1993).

Because the denial of a temporary restraining order is not immediately appealable absent exceptional circumstances, which are not present here, we deny Fuller's request for in forma pauperis status on appeal and dismiss Fuller's appeal in No. 93-7350. See Virginia v. Tenneco, Inc., 538 F.2d 1026, 1029-30 (4th Cir. 1976).

Additionally, Fuller has filed motions in both cases seeking emergency relief on the ground that his confinement in Maryland is illegal.\* Because challenges to confinement are more appropriately raised in a trial court where a hearing can be held, we deny Fuller's motions in both cases. Finally, we deny Maria Weyraugh's and Nancy Halstead's motions to submit an amicus curiae brief in both cases.

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\* As a result of his allegedly illegal confinement he seeks to be released and returned to Virginia.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the Court and argument would not aid the decisional process.

No. 93-7285 - AFFIRMED

No. 93-7350 - DISMISSED