

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 04-1192

September Term, 2003

Filed On: June 30, 2004 [833181]

In re: Maryland-District of Columbia-Delaware
Broadcasters Association, Inc., et al.,
Petitioners

BEFORE: Edwards, Henderson, and Randolph, Circuit Judges

ORDER

Upon consideration of the petition for a writ of mandamus, the oppositions thereto, and the reply, it is

ORDERED that the petition for a writ of mandamus be denied. The Federal Communications Commission's (FCC) delay is not yet so egregious or unreasonable as to warrant the extraordinary remedy of mandamus. See In re Monroe Communications Corp., 840 F.2d 942, 945 (D.C. Cir. 1988); Telecommunications Research and Action Ctr. v. FCC, 750 F.2d 70, 79-80 (D.C. Cir. 1984). Moreover, to the extent petitioners seek an order directing the FCC to withdraw its audit letters or to extend the deadline for responding to the letters, petitioners have shown neither a clear and indisputable right to the relief sought, nor that other relief is inadequate. Gulfstream Aerospace Corp. v. Mayacamas Corp., 485 U.S. 271, 289 (1988); Allied Chem. Corp. v. Daiflon, Inc., 449 U.S. 33, 35 (1980).

Per Curiam