

**SUPREME COURT OF ARKANSAS**

No. CR 07-1318

ROBERT T. MAXWELL  
a/k/a G-DOFFEE  
Petitioner

v.

STATE OF ARKANSAS  
Respondent

Opinion Delivered November 5, 2009

PRO SE MOTION FOR  
RECONSIDERATION OF ORDER  
DENYING PETITION TO REINVEST  
JURISDICTION IN TRIAL COURT TO  
CONSIDER A PETITION FOR WRIT  
OF ERROR CORAM NOBIS [CIRCUIT  
COURT OF PULASKI COUNTY, CR  
2006-2198]

MOTION DENIED.

**PER CURIAM**

This court denied a pro se petition filed by Robert T. Maxwell, who is also known as G-Doffee, to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis with respect to a judgment of conviction entered against him in 2007. *Maxwell v. State*, 2009 Ark. 309 (unpublished per curiam). Now before us is petitioner's pro se motion for reconsideration of that decision.

In the motion for reconsideration, petitioner attempts to recast one of his previous arguments as a violation of *Brady v. Maryland*, 373 U.S. 83 (1963). A claim of a *Brady* violation, i.e. that the State withheld material exculpatory evidence, falls within one of the four recognized categories for providing coram nobis relief. *Pitts v. State*, 336 Ark. 580, 986 S.W.2d 407 (1999) (per curiam).

Petitioner initially contended that Cedric Barnes, one of the prosecution witnesses, gave testimony that was coerced and amounted to inadmissible hearsay, resulting in fundamental unfairness at petitioner's trial. We found that petitioner's argument regarding Barnes failed to fall within one of the four categories set forth in *Pitts* for which coram nobis relief could be granted.

Cite as 2009 Ark. 551

Petitioner now contends that he only recently located a previously unidentified witness, Elbert Davenport. He asserts that Davenport could have testified that Barnes was aware of exculpatory evidence regarding the murder weapon for which Barnes could have been cross-examined at trial. Petitioner also contends that Barnes exchanged his giving false testimony for the prosecutor's promise that Barnes would not be prosecuted on criminal charges. According to petitioner, the prosecutor suppressed information about the weapon and about Barnes' deal with the prosecutor, thereby violating *Brady*.

Both of petitioner's contentions raise entirely new arguments that were not contained in the original petition for coram nobis relief. He thus fails to meet his burden of demonstrating that there was some error of fact or law in the ruling at issue that would merit reconsideration of our decision to deny the relief sought.

Motion denied.