

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

February 1, 2006

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

BOB O. PARRIS,

Defendant-Appellant.

No. 05-7098
(D.C. No. 91-CR-19-S)
(E.D. Okla.)

ORDER AND JUDGMENT*

Before **KELLY, McKAY, and LUCERO**, Circuit Judges.

Petitioner-appellant Bob O. Parris appeals the district court's denial of his third motion for a writ of coram nobis. Because Parris fails to demonstrate a complete miscarriage of justice, the decision of the district court is **AFFIRMED** and his appeal is **DISMISSED**.

On August 1, 1991, Parris was convicted of two counts of mail fraud and one count of wire fraud. The district court sentenced Parris to five years'

* The case is unanimously ordered submitted without oral argument pursuant to Fed. R. App. P. 34(a)(2) and 10th Cir. R. 34.1(G). This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

imprisonment on each count, to be served consecutively. That conviction was affirmed on appeal to this court following a determination that “overwhelming” evidence supported the jury verdicts. United States v. Parris, 1993 WL 18611, *2 (10th Cir. Jan. 27, 1993) (unpublished opinion). Undeterred by this pronouncement, Parris spent the next decade filing a staggering number of frivolous challenges to his conviction. The first, a motion for new trial, was filed two years after his appeal. This motion was denied, and this court affirmed. United States v. Parris, 1994 WL 3357 (10th Cir. Jan. 6, 1994) (unpublished opinion). He next sought to attack his sentence by bringing suit against the United States under the Federal Tort Claims Act. The district court dismissed the suit on summary judgment, and this court affirmed. Parris v. United States, 45 F.3d 383 (10th Cir. 1995) (unpublished opinion). Parris then filed a 28 U.S.C. § 2255 petition. The district court denied the petition, and this court affirmed. Parris v. United States, 77 F.3d 493, 1996 WL 71728 (10th Cir. Feb. 20, 1996) (unpublished opinion). This denial was followed by a flurry of improper collateral attacks, culminating in three successive writs of coram nobis. The district court denied all three, and Parris appeals the latest denial.

“[A] writ of error coram nobis is available only to correct errors resulting in a complete miscarriage of justice, or under circumstances compelling such action to achieve justice.” United States v. Bustillos, 31 F.3d 931, 934 (10th Cir.

1994). In his brief, Parris alleges that the United States Attorney, the Federal District Judge, and the Federal Public Defender conspired to exclude exculpatory evidence. He also asserts that an agent for the Federal Bureau of Investigation lied to the jury. Parris fails to present any evidence that suggests the existence of a conspiracy or perjury. Coram nobis is clearly inappropriate.

The judgment of the district court is **AFFIRMED** and the appeal is **DISMISSED**. Parris's motion to proceed in forma pauperis is **DENIED**.

ENTERED FOR THE COURT

Carlos F. Lucero
Circuit Judge