

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-6829**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HARRINGTON CAMPBELL,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Baltimore.  
Catherine C. Blake, Senior District Judge. (1:07-cr-00232-CCB-1)

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Submitted: December 19, 2023

Decided: December 27, 2023

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Before HARRIS, QUATTLEBAUM, and BENJAMIN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Harrington Campbell, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Harrington Campbell appeals the district court's omnibus order denying without prejudice Campbell's petitions for a writ of error coram nobis, as well as his motions for other forms of relief, and the court's later order denying Campbell's Fed. R. Civ. P. 59(e) motion to alter or amend judgment. In relevant part, the court denied the coram nobis petitions after acknowledging that Campbell advanced arguments related to his convictions that were more properly brought under 28 U.S.C. § 2255, and that Campbell's initial § 2255 motion was dismissed on timeliness grounds. Although Campbell was released from prison in June 2022, he is still serving his supervised-release term and, as such, is considered "in custody" for the purpose of § 2255. *See United States v. Swaby*, 855 F.3d 233, 239 (4th Cir. 2017). Because the more usual remedy is available, we agree with the district court that Campbell cannot seek relief from his convictions through a coram nobis petition. *See United States v. Lesane*, 40 F.4th 191, 195-96 (4th Cir. 2022). Finally, because Campbell did not advance any viable bases for his Rule 59(e) motion, we discern no abuse of discretion in the court's denial of that motion. *See United States v. Taylor*, 54 F.4th 795, 802 (4th Cir. 2022) (providing standard of review).

Accordingly, we affirm the district court's orders. *United States v. Campbell*, No. 1:07-cr-00232-CCB-1 (D. Md. filed Apr. 24, 2023 & entered Apr. 25, 2023; May 9, 2023). We deny Campbell's motion for a certificate of appealability (COA) and supplemental motion for a COA; for transcripts at government expense; and to allow the docket to reflect that the district court denied a COA in this case. We dispense with oral

argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*