

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 18-1878

In re: TERRELL ROSHAD JOYNER,

Petitioner.

On Petition for Extraordinary Writ. (2:17-cv-00666-MSD-LRL)

Submitted: October 18, 2018

Decided: October 22, 2018

Before GREGORY, Chief Judge, KEENAN, Circuit Judge, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Terrell Roshad Joyner, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Terrell Roshad Joyner petitions for a writ of error coram nobis seeking an order vacating a Virginia conviction. We conclude that Joyner is not entitled to coram nobis.

To obtain coram nobis relief, the petitioner must show that a more usual remedy is unavailable; there is a “valid basis” for not having challenged his conviction earlier; “the consequences flowing to the petitioner from his convictions [are] sufficiently adverse to satisfy Article III’s case or controversy requirement;” and “the error . . . must be of the most fundamental character.” *Bereano v. United States*, 706 F.3d 568, 576 (4th Cir. 2013) (internal quotation marks omitted). Upon review, we find that Joyner has not shown a valid basis for not raising his claims earlier and that he has failed to demonstrate that he has a clear right to the relief sought. Therefore, the relief sought by Joyner is not available by way of coram nobis. Accordingly, although we grant leave to proceed in forma pauperis and his motion and supplemental motion to expand the record, we deny Joyner’s petition and his motion to remand. 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.

PETITION DENIED