

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-1318**

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In re: JERMAINE JERRELL SIMS, a/k/a Justice, a/k/a Jus,  
Petitioner.

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On Petition for Extraordinary Writ. (3:98-cr-00045-CMH-1)

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Submitted: June 13, 2019

Decided: June 17, 2019

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Before WYNN and HARRIS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Jermaine Jerrell Sims, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jermaine Jerrell Sims, a federal inmate, petitions for a writ of error coram nobis seeking an order directing the district court to consider evidence that Sims maintains casts doubt on the propriety of his convictions. We conclude that Sims is not entitled to coram nobis relief.

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 convictions 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 Sims has not made the requisite showing. Specifically, the more usual remedy—habeas corpus—is available to Sims, who is still incarcerated pursuant to the convictions he seeks to challenge, and the purported errors are not of a “most fundamental character.” *Id.* (internal quotation marks omitted). Therefore, the relief sought by Sims is not available by way of coram nobis. Accordingly, although we grant Sims leave to proceed in forma pauperis, we deny Sims’ petition. 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*