

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 17-30345
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 15, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

GREGORY HOLT, also known as Abdul Maalik Muhammad,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:05-CR-20012-1

Before REAVLEY, PRADO, and GRAVES, Circuit Judges.

PER CURIAM:*

Gregory Holt, now Arkansas prisoner # 129616, appeals the district court's denial of the petition for a writ of coram nobis that he filed with respect to his 2005 conviction of making threats against the President's family. His motion to file a supplemental brief is GRANTED.

We review the district court's "factual findings for clear error, questions of law de novo, and the district court's ultimate decision to deny the writ [of

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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coram nobis] for abuse of discretion.” *Santos-Sanchez v. United States*, 548 F.3d 327, 330 (5th Cir. 2008), *vacated on other grounds by* 559 U.S. 1046, (2010). This court’s “review is limited by the presumption of correctness of prior proceedings and the narrow range of claims cognizable in granting the” writ of coram nobis. *United States v. Dyer*, 136 F.3d 417, 422 (5th Cir. 1998).

Holt has failed to show that the district court abused its discretion by denying his petition. A writ of coram nobis is not a substitute for an appeal and will issue only if there is no other remedy available. *See id.* at 422. “[A] petitioner seeking coram nobis must exercise reasonable diligence in seeking prompt relief.” *Id.* at 427 (internal quotation marks and citations omitted). Thus, he must provide sound reasons for failing to seek appropriate relief earlier. *Id.* at 422. Holt’s failure to provide these reasons suffices to show that the district court did not abuse its discretion by denying his petition. *See id.*

AFFIRMED.