

United States Court of Appeals
For the Eighth Circuit

No. 12-1485

Harry Meyer Katz

Petitioner - Appellant

v.

United States of America

Respondent - Appellee

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: October 31, 2012

Filed: November 30, 2012

[Unpublished]

Before WOLLMAN, MELLOY, and SHEPHERD, Circuit Judges.

PER CURIAM.

Former federal inmate Harry Katz appeals the district court's¹ denial of his petition for a writ of error coram nobis. We agree with the court that Katz may not

¹The Honorable Catherine D. Perry, Chief Judge, United States District Court for the Eastern District of Missouri.

raise in a coram nobis petition the same claims that he previously litigated in his 28 U.S.C. § 2255 motion. See Sawyer v. Whitley, 505 U.S. 333, 338 (1992) (successive habeas petition raising identical grounds as prior petition must generally be dismissed); United States v. Comacho-Bordes, 94 F.3d 1168, 1173 (8th Cir. 1996) (coram nobis relief is substantially equivalent to habeas relief, and principles barring successive petitions apply); Azzone v. United States, 341 F.2d 417, 418-19 (8th Cir. 1965) (per curiam) (coram nobis petitioner is not entitled to review of issues that were considered and resolved either on direct appeal or in § 2255 motion). We also find that the district court did not err in denying the petition without a hearing or discovery. Accordingly, we affirm. See 8th Cir. R. 47B.
