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E-FILED - 9/29/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GILBERTO JUAREZ,)	No. C 95-20619 RMW (PR)
)	
Plaintiff,)	ORDER DENYING
)	PLAINTIFF'S WRIT OF CORAM
vs.)	NOBIS
)	
DANNY VASQUES,)	(Docket No. 8)
)	
Defendant.)	

Plaintiff, a state prisoner proceeding pro se, filed a civil rights complaint under 42 U.S.C. § 1983 on September 13, 1995. On January 3, 1996, this court dismissed plaintiff's complaint without prejudice for lack of jurisdiction. On August 20, 2008, plaintiff filed the underlying writ of coram nobis. The court DENIES the writ.

Plaintiff's writ appears to be an attempt to challenge his prior state convictions and sentences. Because plaintiff is incarcerated and because plaintiff appears to be challenging state convictions, a writ of coram nobis is not the appropriate remedy. See Telink, Inc. v. United States, 24 F.3d 42, 45 (9th Cir. 1994); Madigan v. Wells, 224 F.2d 577, 578 n.2 (9th Cir. 1955).

Plaintiff's writ of coram nobis (docket no. 8) is DENIED.

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1 IT IS SO ORDERED.

2 DATED: 9/29/08

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

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