

AUG 27 2012

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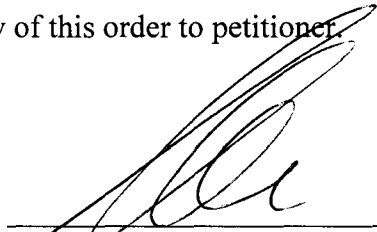
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DOMINIQUE HERMAN ADAMS,)	
Petitioner,)	Civil Action No. 7:12-cv-00384
)	
v.)	MEMORANDUM OPINION
)	
COMMONWEALTH OF VIRGINIA,)	By: Samuel G. Wilson
Respondent.)	United States District Judge

Petitioner Dominique Herman Adams, a Virginia inmate proceeding *pro se*, filed this petition for writ of *error coram nobis* challenging his 2003 convictions in the Roanoke City Circuit Court for statutory burglary, robbery, and malicious wounding. However, the writ of *error coram nobis* may not be used to set aside a state conviction. See, e.g., In re Egan, 339 F. App'x 314, 315 (4th Cir. 2009); Finkelstein v. Spitzer, 455 F.3d 131, 134 (2d Cir. 2006); Obado v. New Jersey, 328 F.3d 716, 718 (3d Cir. 2003); Lowery v. McCaughtry, 954 F.2d 422, 423 (7th Cir. 1992); Sinclair v. Louisiana, 679 F.2d 513, 514 (5th Cir. 1982); Rivenburgh v. Utah, 299 F.2d 842, 843 (10th Cir. 1962). Accordingly, the court finds no ground upon which to grant Adams' petition and, therefore, dismisses this action.¹

The Clerk is directed to send a certified copy of this order to petitioner.

ENTER: This 27th day of August, 2012.



United States District Judge

¹ The court declines to construe Adams' petition as a petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254 because Adams has already filed several § 2254 petitions challenging the same convictions. See Civil Action Nos. 7:10cv383 (dismissed as untimely filed), 7:11cv600 (dismissed as successive), and 7:11cv601 (dismissed as successive). Further, the court notes that the United States Court of Appeals for the Fourth Circuit has also denied Adams' request to file a second or successive application for relief under § 2254 on at least four occasions. See In re: Dominique Herman Adams, No. 11-193 (4th Cir. June 23, 2011); See In re: Dominique Herman Adams, No. 11-319 (4th Cir. Jan. 10, 2012); In re Dominique Herman Adams, No. 12-150 (4th Cir. Mar. 14, 2012); See In re: Dominique Herman Adams, No. 12-167 (4th Cir. May 1, 2011).