

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6006

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ERIC ARTHUR WALTON,

Defendant - Appellant.

No. 15-6008

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ERIC ARTHUR WALTON,

Defendant - Appellant.

Appeals from the United States District Court for the Northern
District of West Virginia, at Wheeling. Frederick P.
Stamp, Jr., Senior District Judge. (5:94-cr-00021-FPS-JSK-1;
5:96-cr-00041-FPS-1)

Submitted: April 16, 2015

Decided: April 21, 2015

Before AGEE and KEENAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Eric Arthur Walton, Appellant Pro Se. Paul Thomas Camilletti,
Assistant United States Attorney, Martinsburg, West Virginia,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, Eric Arthur Walton appeals the district court's order denying his motions to recall the mandate or, in the alternative, for a writ of audita querela. Walton's motions request that the district court reverse its denial, nearly twenty years earlier, of his requests for recusal of the trial judge who presided over his criminal prosecutions. Alternatively, Walton relies on the same allegations of judicial disqualification in seeking to overturn his convictions through a writ of audita querela, pursuant to 28 U.S.C. § 1651 (2012).

As the district court aptly noted, the rulings Walton seeks to vacate have no "mandate" for the district court to recall. Walton fails to identify any other legal mechanism for overruling the district court's recusal rulings in his long-settled criminal cases. Moreover, as the district court recognized, Walton's claims do not implicate a gap in the present system of post-conviction relief that can be redressed by way of a writ of audita querela. See, e.g., Massey v. United States, 581 F.3d 172, 174 (3d Cir. 2009); United States v. Holt, 417 F.3d 1172, 1175 (11th Cir. 2005). Because Walton identifies no valid legal basis for obtaining the relief he seeks, the district court properly denied his motions.

Accordingly, we affirm the district court's order. 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.

AFFIRMED