

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7796

In Re: WILLIAM WISE MURRAY,

Petitioner.

On Petition for Writ of Error Coram Nobis.
(CR-93-470)

Submitted: January 16, 2002

Decided: January 30, 2002

Before WIDENER, WILLIAMS, and MICHAEL, Circuit Judges.

Petition denied by unpublished per curiam opinion.

William Wise Murray, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

William Wise Murray, a federal inmate, petitions for a writ of error coram nobis under 28 U.S.C.A. § 1651 (1994), seeking (1) vacatur of his conviction on the ground that the district court lacked jurisdiction to convict him, and (2) an order to direct the district court to provide him with a copy of the trial transcript. A writ of error coram nobis is available only when the petitioner is not in custody. See, e.g., United States v. Sawyer, 239 F.3d 31, 37 (1st Cir. 2001). Because Murray is in federal custody and has filed a prior motion under 28 U.S.C.A. § 2255 (West Supp. 2001), he may not circumvent the gatekeeping provisions of § 2255 and 28 U.S.C.A. § 2244 (West 1994 & Supp. 2001), by filing this petition. United States v. Noske, 235 F.3d 405, 406 (8th Cir. 2000).

Accordingly, we deny Murray leave to proceed in forma pauperis, deny his petition for a writ of error coram nobis, and deny his motion for injunction and bail. We dispense with oral argument because the facts and legal arguments are adequately presented in the materials before the court, and argument would not aid the decisional process.

PETITION DENIED