

United States Court of Appeals
For the Eighth Circuit

No. 16-3583

United States of America,

Plaintiff - Appellee,

v.

Thomas F. Brown,

Defendant - Appellant.

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: June 28, 2017

Filed: July 12, 2017

[Unpublished]

Before WOLLMAN, COLLOTON, and GRUENDER, Circuit Judges.

PER CURIAM.

Thomas Brown appeals the district court's¹ denial of his petition for coram nobis relief, in which he sought to vacate his 1995 conviction for manufacturing marijuana and peyote. We agree with the district court that Brown could not relitigate his argument that he is entitled to relief under the Religious Freedom Restoration Act of 1993, 42 U.S.C. §§ 2000bb et seq., which has been rejected by this court on direct appeal and in numerous subsequent habeas and coram nobis proceedings. See United States v. Camacho-Bordes, 94 F.3d 1168, 1173 (8th Cir. 1996) (coram nobis relief is substantially equivalent to habeas relief, and abuse-of-writ principles apply to coram nobis cases); Willis v. United States, 654 F.2d 23, 24 (8th Cir. 1981) (coram nobis petitioner is not entitled to review of issues that were considered and resolved in 28 U.S.C. § 2255 motion). Accordingly, we affirm the district court's denial of the petition. See 8th Cir. R. 47B.

¹The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas, adopting the report and recommendations of the Honorable Erin L. Setser, United States Magistrate Judge for the Western District of Arkansas.