

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

April 14, 2011

Lyle W. Cayce
Clerk

No. 10-30705
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JULIUS L. JACKSON,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 1:04-CR-10019-2

Before KING, BENAVIDES, and ELROD, Circuit Judges.

PER CURIAM:*

Julius L. Jackson, federal prisoner # 05408-028, appeals from the district court's denial of a motion he filed for coram nobis or audita querela relief. He also moves for appointment of counsel; that motion is DENIED.

In his district court motion, Jackson attacked the validity of his conviction and sentence. Jackson's motion could have arisen only under 28 U.S.C. § 2255. *See Tolliver v. Dobre*, 211 F.3d 876, 877 (5th Cir. 2000). The district court, however, lacked jurisdiction to so construe Jackson's motion because he

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 10-30705

previously had filed a § 2255 motion that was disposed of on the merits and did not obtain authorization from this court to file a successive § 2255 motion. *See Hooker v. Sivley*, 187 F.3d 680, 681-82 (5th Cir. 1999). Jackson’s appeal is “from the denial of a meaningless, unauthorized motion.” *United States v. Early*, 27 F.3d 140, 142 (5th Cir. 1994).

APPEAL DISMISSED. *See* 5TH CIR. R. 42.2.