

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, RICHMOND DIVISION

Terrance O. Coley v. Commonwealth of Virginia, et al.

Coley · No. 3:25cv510 (DJN) · Decided February 20, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia dismissed Terrance O. Coley's petition for a writ of coram vobis. The court held that it lacked jurisdiction to alter state-court sentences and that coram nobis relief was unavailable because Coley remained in custody and the federal court had not imposed the challenged sentences.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Richmond Division
WRITING FOR THE COURT	David J. Novak
JURISDICTION	United States District Court for the Eastern District of Virginia, Richmond Division
DECIDED	February 20, 2026
DOCKET	3:25cv510 (DJN)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of coram vobis seeking alteration of state criminal sentences based on a later interpretation of Virginia law; dismissed during screening under 28 U.S.C. §§ 1915(e)(2) and 1915A.
STANDARD OF REVIEW	Screening under 28 U.S.C. §§ 1915(e)(2) and 1915A; dismissal is required when a prisoner action is frivolous or fails to state a claim on which relief may be granted.
PRECEDENTIAL VALUE	unpublished memorandum opinion
PARTIES	Terrance O. Coley v. Commonwealth of Virginia, et al.

TOPICS

- subject matter jurisdiction
- post-conviction relief
- sentencing
- remedies
- federalism

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a federal district court has jurisdiction to issue a writ of coram nobis or coram vobis altering sentences imposed by a state court.
2. Whether Coley could use coram nobis or coram vobis relief while remaining in custody on the challenged sentences.

HOLDINGS

1. A federal district court lacks subject matter jurisdiction to issue a writ of coram nobis or coram vobis to alter a state criminal conviction or sentence because the federal court did not impose the challenged judgment.
2. A petitioner who remains in custody on the challenged sentences may not use coram nobis or coram vobis as the vehicle for relief.

KEY QUOTATIONS

“Accordingly, the action will be *DISMISSED* for lack of jurisdiction and as legally frivolous.”

FACTUAL BACKGROUND

Coley alleged that a jury recommended concurrent sentences for his firearm offenses, but the sentencing judge imposed consecutive sentences because the judge believed consecutive sentences were required. He later relied on *Brown v. Commonwealth*, 284 Va. 538 (2012), which he understood to permit concurrent sentences for firearm offenses. Coley remained in state custody under the challenged sentences and sought federal coram vobis relief to alter them.

PROCEDURAL HISTORY

Coley, a Virginia inmate proceeding pro se, filed a federal petition seeking to have the Virginia state courts alter his firearm-offense sentences. The district court concluded that it lacked subject matter jurisdiction because the challenged sentences were imposed by a state court and because Coley remained in custody, and dismissed the action as legally frivolous.

DISPOSITION

dismissed

CASES CITED

- *Brown v. Commonwealth*, 284 Va. 538 (2012)
- *United States v. Denedo*, 556 U.S. 904, 911 (2009)
- *Nabaya v. Lauck*, No. 1:23-CV-2650 (ACR), 2024 WL 687967, at *3 n.5 (D.D.C. Feb. 16, 2024)
- *United States v. Morgan*, 346 U.S. 502, 511 (1954)

- Stoller v. United States, 216 F. Supp. 3d 171, 175 (D.D.C. 2016)
- Rawlins v. Kansas, 714 F.3d 1189, 1196 (10th Cir. 2013)
- In re Egan, 339 F. App'x 314, 315 (4th Cir. 2009)
- Minter v. Unknown, No. 7:23CV00647, 2024 WL 2891499, at *2 n.1 (W.D. Va. June 10, 2024)

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