

United States Court of Appeals
For the Eighth Circuit

No. 14-2237

Richard DeCaro

Petitioner - Appellant

v.

United States of America

Respondent - Appellee

Appeal from United States District Court
for the Eastern District of Missouri - Cape Girardeau

Submitted: February 18, 2015

Filed: February 23, 2015

[Unpublished]

Before LOKEN, COLLOTON, and KELLY, Circuit Judges.

PER CURIAM.

Federal inmate Richard DeCaro appeals the district court's¹ denial of his Federal Rule of Civil Procedure 60(b)(4) motion challenging his conviction and

¹The Honorable Audrey G. Fleissig, United States District Judge for the Eastern District of Missouri.

sentence. After careful review, we conclude that the motion amounted to an unauthorized successive 28 U.S.C. § 2255 motion. See 28 U.S.C. § 2255(h) (authorization requirement); Gonzalez v. Crosby, 545 U.S. 524, 532 (2005) (Rule 60(b) motion that challenges defect in integrity of habeas proceeding is not successive collateral attack, but motion that advances habeas claim is successive petition); United States v. Lambros, 404 F.3d 1034, 1036 (8th Cir. 2005) (per curiam) (inmates cannot bypass authorization requirement of § 2255 by purporting to invoke some other procedure). Accordingly, we affirm. See 8th Cir. R. 47B.
