

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 17-7254

BRIAN WILLIAM SCHUMAKER,

Petitioner - Appellant,

v.

HECTOR JOYNER, Warden, FCI Estill,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Aiken.
Henry M. Herlong, Jr., Senior District Judge. (1:17-cv-01473-HMH)

Submitted: March 19, 2018

Decided: April 25, 2018

Before NIEMEYER, DUNCAN, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Brian William Schumaker, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brian William Schumaker, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and dismissing his 28 U.S.C. § 2241 (2012) petition without prejudice. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Schumaker v. Joyner*, No. 1:17-cv-01473-HMH (D.S.C. July 19, 2017). We grant leave to proceed in forma pauperis and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

FILED: July 3, 2018

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O R D E R

The court denies the petition for rehearing and rehearing en banc. No judge requested a poll under Fed. R. App. P. 35 on the petition for rehearing en banc.

Entered at the direction of the panel: Judge Niemeyer, Judge Duncan, and Judge Keenan.

For the Court

/s/ Patricia S. Connor, Clerk