

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

BRIAN WILLIAM SCHUMAKER — PETITIONER
(Your Name)

VS.

Hector Joyner, WARDEN — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

(underlying) USDC Case No. 1:07-cr-00289-JLG (ND.Ga 2007)

U.S. Court of Appeals for the Fourth Circuit, Appeal No. 17-7254

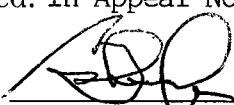
Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: Counsel was appointed in Case No.1:07-cr-00289 under Criminal Justice Act(1964), or

a copy of the order of appointment is appended. in Appeal No. 17-7254
Without Prejudice


AGENT for
PETITIONER
(Signature)
Brian-William:Schumaker

UNPUBLISHED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Affirmed by unpublished per curiam opinion.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Unpublished opinions are not binding precedent in this circuit.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