

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-6053**

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DANNY STOKES,

Petitioner - Appellant,

versus

B. A. BLEDSOE, Warden,

Respondent - Appellee.

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Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. Irene M. Keeley, Chief District Judge. (CA-00-193)

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Submitted: May 8, 2001

Decided: May 21, 2001

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Before WIDENER, WILLIAMS, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Danny Stokes, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Danny Stokes appeals the district court's order denying relief on his 28 U.S.C. § 2241 (1994) petition. We have reviewed the record and the district court's opinion and find no reversible error. Although the district court may have improperly construed Stokes' petition as a motion under 28 U.S.C.A. § 2255 (West Supp. 2000), over which it had no jurisdiction, Stokes did not qualify for relief under § 2241. See In re Jones, 226 F.3d 328, 333-34 (4th Cir. 2000) (describing circumstances under which § 2241 relief is appropriate on the basis that § 2255 is inadequate and ineffective to test the legality of a conviction). Accordingly, we affirm the district court's denial of relief. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED