

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7566

In Re: JOSEPH J. SCHEPIS, JR.,

Petitioner.

On Petition for Writ of Habeas Corpus.
(CR-91-425; CA-05-2287-0-JFA)

Submitted: January 26, 2006

Decided: February 3, 2006

Before LUTTIG, WILLIAMS, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Joseph J. Schepis, Jr., Petitioner.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Joseph J. Schepis, Jr., petitions for leave to file a petition for writ of habeas corpus under 28 U.S.C. § 2241 (2000). We have reviewed the motion and deny it as unnecessary because authorization from this court is not required to file a 28 U.S.C. § 2241 petition. However, to the extent that Schepis seeks to file a successive 28 U.S.C. § 2255 (2000) motion, authorization must be applied for under 28 U.S.C. § 2244 (2000). Accordingly, we deny the petition as unnecessary. We deny Schepis's motion to proceed on appeal in forma pauperis. 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.

PETITION DENIED