

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-6292

MARTEZ COLEMAN,

Petitioner - Appellant,

versus

UNITED STATES OF AMERICA,

Respondent - Appellee.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Glen E. Conrad, District Judge.
(7:06-cv-00083-gec)

Submitted: July 20, 2006

Decided: July 26, 2006

Before WIDENER and WILKINSON, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Martez Coleman, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Martez Coleman, a federal prisoner, filed a petition under 28 U.S.C. § 2241 (2000), raising claims under United States v. Booker, 543 U.S. 220 (2005). Although the district court construed the § 2241 petition as a motion under 28 U.S.C. § 2255 (2000), we find that Coleman clearly intended to file a § 2241 petition. He filed the petition on a standard § 2241 form in the district of incarceration. Because Coleman does not meet the standard set forth in In re: Jones, 226 F.3d 328, 333-34 (4th Cir. 2000), we affirm the 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