

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-7567**

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JORGE PALACIO,

Petitioner - Appellant,

versus

PATRICIA R. STANSBERRY,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, Chief District Judge. (5:06-hc-02132-FL)

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Submitted: March 29, 2007

Decided: April 3, 2007

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Before MOTZ, TRAXLER, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Jorge Palacio, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jorge Palacio, a federal prisoner, filed a petition under 28 U.S.C. § 2241 (2000), challenging his sentence in light of United States v. Booker, 543 U.S. 220 (2005), and asserting that the imposition of a term of supervised release violated the Double Jeopardy Clause. We have reviewed the record and the district court's opinion and conclude that Palacio cannot proceed under § 2241 because he does not meet the standard set forth in In re Jones, 226 F.3d 328, 333-34 (4th Cir. 2000). Accordingly, we affirm the denial of relief. Palacio's motion to proceed in forma pauperis on appeal is granted. 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