

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6388

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

BEAUTANOUS COOR,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Senior District Judge. (5:92-cr-00072-F-1; 5:07-cv-00038-F)

Submitted: May 10, 2007

Decided: May 15, 2007

Before MOTZ and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Beautanous Coor, Appellant Pro Se. Jane J. Jackson, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Beautanous Coor filed a petition under 28 U.S.C. § 2241 (2000), seeking to challenge his conviction and sentence in light of Apprendi v. New Jersey, 530 U.S. 466 (2000), and United States v. Booker, 543 U.S. 220 (2005). The district court construed the § 2241 petition as a motion under 28 U.S.C. § 2255 (2000), and dismissed for lack of jurisdiction. Coor asserts that § 2255 is inadequate and ineffective to test the legality of his detention and contends that his claims should be considered under § 2241 pursuant to the savings clause in § 2255. Because Coor does not meet the standard set forth in In re Jones, 226 F.3d 328, 333-34 (4th Cir. 2000) for application of the savings clause, we affirm the denial of relief. We deny as unnecessary Coor's motion for a certificate of appealability. 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