

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-6096**

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MAURICE FOLEY,

Petitioner - Appellant,

v.

TERRY O'BRIEN, Warden,

Respondent - Appellee.

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**No. 10-6245**

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MAURICE FOLEY,

Petitioner - Appellant,

v.

TERRY O'BRIEN, Warden,

Respondent - Appellee.

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Appeals from the United States District Court for the Western  
District of Virginia, at Roanoke. James C. Turk, Senior  
District Judge. (7:09-cv-00212-jct-mfu)

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Submitted: April 22, 2010

Decided: April 28, 2010

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Before TRAXLER, Chief Judge, and KING and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Maurice Foley, Appellant Pro Se. Sara Bugbee Winn, OFFICE OF  
THE UNITED STATES ATTORNEY, Roanoke, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Maurice Foley, a federal prisoner, appeals the district court's order dismissing without prejudice his 28 U.S.C. § 2241 (2006) petition, and its subsequent order denying leave to proceed in forma pauperis on appeal. We have reviewed the record and find no reversible error. Accordingly, although we grant leave to proceed in forma pauperis, we affirm for the reasons stated by the district court. Foley v. O'Brien, No. 7:09-cv-00212-jct-mfu (W.D. Va. Dec. 29, 2009, Feb. 3, 2010). 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