

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-7243

JEFF MEDLEY,

Petitioner - Appellant,

v.

R. A. PERDUE,

Respondent - Appellee.

Appeal from the United States District Court for the Northern District of West Virginia,
at Martinsburg. Gina M. Groh, Chief District Judge. (3:14-cv-00069-GMG-RWT)

Submitted: December 12, 2018

Decided: February 8, 2019

Before KEENAN, HARRIS, and QUATTLEBAUM, Circuit Judges.

Vacated and remanded by unpublished per curiam opinion.

Jeff Medley, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jeff Medley appeals from the district court's order denying his 28 U.S.C. § 2241 (2012) petition. The district court ruled that Medley's challenge to his career offender status was not cognizable under § 2241 pursuant to *In re Jones*, 226 F.3d 328 (4th Cir. 2000). However, when it issued its decision, the district court did not have the benefit of *United States v. Wheeler*, 886 F.3d 415, 426 (4th Cir. 2018), and *Lester v. Flournoy*, 909 F.3d 708, 713–14 (4th Cir. 2018).

Accordingly, we grant leave to proceed in forma pauperis, vacate the district court's order and remand for further consideration of Medley's petition. We deny Medley's motion for appointment of counsel. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

VACATED AND REMANDED