

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7435

RAYMOND PERACCINY,

Petitioner - Appellant,

versus

PATRICIA R. STANSBERRY, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CA-05-37-5)

Submitted: April 17, 2006

Decided: May 16, 2006

Before LUTTIG,¹ MICHAEL, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Raymond Peracciny, Appellant Pro Se. Rudolf A. Renfer, Jr., Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

¹Judge Luttig was a member of the original panel but did not participate in this decision. This opinion is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

PER CURIAM:

Raymond Peracciny, a federal prisoner, seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C. § 2241 (2000). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court.² See Peracciny v. Stansberry, No. CA-05-37-5 (E.D.N.C. June 1, 2005). 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

²We decline to address Peracciny's challenge to the constitutionality of the Bureau of Prisons' organ transplant policy, which was not squarely raised in the district court and, in any event, is not cognizable under § 2241.