

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6674

MARK AUGUSTUS CHAPPELLE,

Petitioner - Appellant,

v.

WARDEN, USP Lee,

Respondent - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. Elizabeth Kay Dillon, District Judge. (7:21-cv-00197-EKD-JCH)

Submitted: August 31, 2023

Decided: September 18, 2023

Before WILKINSON and QUATTLEBAUM, Circuit Judges, and KEENAN, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Mark Augustus Chappelle, Appellant Pro Se. Justin Michael Lugar, OFFICE OF THE
UNITED STATES ATTORNEY, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mark Augustus Chappelle, a federal prisoner, appeals the district court's order dismissing his 28 U.S.C. § 2241 petition for lack of jurisdiction. In light of the Supreme Court's recent decision in *Jones v. Hendrix*, 143 S. Ct. 1857, 1868-69 (2023) (holding that petitioner cannot use § 2241 petition by way of the saving clause in 28 U.S.C. § 2255(e) to mount successive collateral attack on validity of federal conviction), we conclude that Chappelle cannot pursue his claim in a § 2241 petition.

Accordingly, we affirm the district court's order dismissing Chappelle's § 2241 petition. *Chappelle v. Warden*, No. 7:21-cv-00197-EKD-JCH (W.D. Va. May 24, 2022). We deny Chappelle's motions 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.

AFFIRMED