

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-7339**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DARROL J. HARRISON,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. David C. Norton, District Judge. (CR-92-446; CA-05-648)

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Submitted: December 22, 2005

Decided: January 3, 2006

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Before WIDENER, NIEMEYER, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Darrol J. Harrison, Appellant Pro Se. Robert Hayden Bickerton, Assistant United States Attorney, Charleston, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Darrol J. Harrison, a federal prisoner, filed a petition under 28 U.S.C. § 2241 (2000), raising a claim under United States v. Booker, 543 U.S. 220 (2005). Though the district court construed the § 2241 petition as a motion under 28 U.S.C. § 2255 (2000), Harrison clearly intended to file a § 2241 petition. Harrison argues on appeal that § 2255 is inadequate and ineffective to test the legality of his detention, contending that his Booker claim should be considered in the context of his § 2241 petition. Because Harrison does not meet the standard under In re Jones, 226 F.3d 328, 333-34 (4th Cir. 2000), we affirm the denial of relief. 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