UNPUBLISHED

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

 $N_0 = 0.7 - 6.602$

	110. 07 0002			
FREDERICK HAMILTON BANKS,		Petitioner	- Appe	llant,
versus			11	·
PATRICIA R. STANSBERRY,				
		Responden	t - App	ellee.
Appeal from the United District of North Carolina District Judge. (5:07-hc	a, at Raleigh. 1			
Submitted: July 19, 2007		Decided:	July 2	5, 2007

Before MOTZ and GREGORY, Circuit Judges, and WILKINS, Senior Circuit Judge.

Affirmed as modified by unpublished per curiam opinion.

Frederick Hamilton Banks, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Frederick Hamilton Banks, a federal prisoner, appeals the district court's order dismissing his 28 U.S.C. § 2241 (2000) petition. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court, but we modify the dismissal to reflect that it is without prejudice. Banks v. Stansberry, No. 5:07-hc-02011-H (E.D.N.C. Apr. 5, 2007). 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 AS MODIFIED