

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-8067**

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CLEVELAND WINSTON KILGORE,

Plaintiff - Appellant,

v.

DARLENE DREW, Warden,

Respondent - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Beaufort. Henry F. Floyd, District Judge. (9:08-cv-02299-HFF)

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Submitted: January 15, 2009

Decided: January 26, 2009

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Before MOTZ and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Cleveland Winston Kilgore, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cleveland Winston Kilgore, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice Kilgore's 28 U.S.C. § 2241 (2006) petition. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Kilgore v. Drew, No. 9:08-cv-02299-HFF (D.S.C. Sept. 19, 2008). 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