

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 20-6548**

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DAVID A. GAMBINO,

Petitioner - Appellant,

v.

WARDEN, of F.C.I. Gilmer,

Respondent - Appellee.

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Appeal from the United States District Court for the Northern District of West Virginia, at  
Wheeling. John Preston Bailey, District Judge. (5:20-cv-00043-JPB)

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Submitted: October 30, 2020

Decided: November 24, 2020

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Before KING, HARRIS, and RICHARDSON, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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David A. Gambino, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David A. Gambino, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice Gambino's 28 U.S.C. § 2241 petition in which Gambino challenged the conditions of his confinement. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Gambino v. Warden*, No. 5:20-cv-00043-JPB (N.D.W. Va. Apr. 8, 2020). 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*