

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7351

WALTER LITTLE, JR.,

Plaintiff - Appellant,

versus

MATTHEW B. HAMIDULLAH,

Defendant - Appellee.

No. 06-6003

WALTER LITTLE, JR.,

Plaintiff - Appellant,

versus

MATTHEW B. HAMIDULLAH,

Defendant - Appellee.

Appeals from the United States District Court for the District of
South Carolina, at Columbia. Henry M. Herlong, Jr., District
Judge. (CA-05-2080-HMH)

Submitted: April 27, 2006

Decided: May 3, 2006

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

Affirmed by unpublished per curiam opinion.

Walter Little, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Walter Little, Jr., a federal prisoner, filed a petition under 28 U.S.C. § 2241 (2000), challenging the validity of his sentence claiming that he was "actually innocent" of being a career offender. The district court accepted the magistrate judge's recommendation and rejected Little's claim that 28 U.S.C. § 2255 (2000) was inadequate and ineffective to test the legality of his detention.* Because Little does not meet the standard set forth in In re Jones, 226 F.3d 328, 333-34 (4th Cir. 2000), we affirm the district court's denial of his § 2241 petition. We also affirm the district court's denial of Little's motion to proceed in forma pauperis on appeal. 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

*The district court also noted that to the extent it might consider Little's claim under § 2255, such relief would be barred as successive. We also note that the district court erroneously stated that Little was sentenced as an armed career criminal instead of a career offender.