

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-7366**

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EZEKIEL C. CROSS, JR.,

Petitioner - Appellant,

versus

DOMINIC GUTIERREZ; BUREAU OF PRISONS,

Respondents - Appellees.

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Appeal from the United States District Court for the Northern  
District of West Virginia, at Martinsburg. W. Craig Broadwater,  
District Judge. (CA-04-218)

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Submitted: March 10, 2006

Decided: April 19, 2006

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Before LUTTIG, WILLIAMS, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Ezekiel C. Cross, Jr., Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Ezekiel C. Cross, Jr., a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his petition filed under 28 U.S.C. § 2241 (2000). We have reviewed the record and find no reversible error. Accordingly, we deny as unnecessary Cross' motion for a certificate of appealability, and we affirm on the reasoning of the district court. See Cross v. Gutierrez, No. CA-04-218 (N.D. W. Va. Aug. 18, 2005). 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