

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-7501**

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CESAR A. ROJAS,

Petitioner - Appellant,

v.

JOE DRIVER,

Respondent - Appellee.

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Appeal from the United States District Court for the Northern District of West Virginia, at Wheeling. Frederick P. Stamp, Jr., Senior District Judge. (5:06-cv-00088-FPS)

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Submitted: February 15, 2008                      Decided: February 29, 2008

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

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Affirmed by unpublished per curiam opinion.

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Cesar A. Rojas, Appellant Pro Se. Helen Campbell Altmeyer, OFFICE OF THE UNITED STATES ATTORNEY, Wheeling, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cesar A. Rojas, a federal prisoner, appeals the district court's order affirming and adopting in part and declining to adopt in part the recommendation of the magistrate judge, granting the Respondent's motion to dismiss, and denying relief on Rojas' 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. Rojas v. Driver, No. 5:06-cv-00088-FPS (N.D. W. Va. Sept. 24, 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