

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-7243**

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CHARLES ELLWOOD GWATHNEY,

Petitioner - Appellant,

v.

J. ZIEGLER, Warden,

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. (5:10-cv-00034-FPS-JES)

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Submitted: November 30, 2010

Decided: December 7, 2010

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Before WILKINSON, KEENAN, and WYNN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Charles Ellwood Gwathney, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles Ellwood Gwathney, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his 28 U.S.C.A. § 2241 (West 2006 & Supp. 2010) petition. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Gwathney v. Ziegler, No. 5:10-cv-00034-FPS-JES (N.D.W. Va. Aug. 9, 2010). 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