

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7241

HAROLD LEE SMITH,

Petitioner - Appellant,

v.

KENNY ATKINSON,

Respondent - Appellee,

and

FEDERAL BUREAU OF PRISONS; UNITED STATES,

Respondents.

Appeal from the United States District Court for the District of South Carolina, at Beaufort. Richard Mark Gergel, District Judge. (9:13-cv-00384-RMG)

Submitted: November 19, 2013

Decided: November 22, 2013

Before WYNN and FLOYD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Harold Lee Smith, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Harold Lee Smith, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice Smith's 28 U.S.C.A. § 2241 (West 2006 & Supp. 2013) petition. We have reviewed the record and find no reversible error. Accordingly, although we grant leave to proceed in forma pauperis, we affirm for the reasons stated by the district court. Smith v. Atkinson, No. 9:13-cv-00384-RMG (D.S.C. July 23, 2013). 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