

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-6429**

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HARVEY LEE HAYES, JR.,

Plaintiff - Appellant,

v.

JOEL ZIEGLER,

Defendant - Appellee.

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Appeal from the United States District Court for the Southern District of West Virginia, at Beckley. Irene C. Berger, District Judge. (5:11-cv-00261)

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Submitted: May 27, 2014

Decided: May 29, 2014

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Before WILKINSON, MOTZ, and DIAZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Harvey Lee Hayes, Jr., Appellant Pro Se. John Fulton Gianola, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Harvey Lee Hayes, Jr., 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. § 2241 (2012) 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. Hayes v. Ziegler, No. 5:11-cv-00261 (S.D.W. Va. Feb. 20 & 27, 2014). 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