

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6890

WILLIAM DOUGLAS HAMPTON,

Petitioner - Appellant,

v.

FEDERAL CORRECTIONAL COMPLEX; ERIC D. WILSON, Warden; MAURICE DANZEY, Associate Warden; L. HUMPHREY, Recreation Supervisor; R. SPEARS, Education Supervisor; R. HUTCHINGS, Associate Warden; D. DICOCCO, Health Services Administration; M. REYNOLDS, Director of Psychology; P. HILLETEWORK, Mid-Level Practitioner; S. HARRIS, Legal Administrator; A. LEWIS, Associate Warden; K. KIDDY, Unit A/B Manager,

Respondents - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (1:15-cv-00464-CMH-TCB)

Submitted: September 10, 2015

Decided: October 5, 2015

Before DUNCAN, DIAZ, and HARRIS, Circuit Judges.

Vacated and remanded with instructions by unpublished per curiam opinion.

William Douglas Hampton, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Douglas Hampton appeals the district court's order denying relief on his motion to present evidence. The district court construed Hampton's motion as a 28 U.S.C. § 2241 (2012) petition and dismissed it because the relief Hampton sought was not cognizable under § 2241. While the district court's legal analysis regarding § 2241 was correct, we conclude from our review of the record that Hampton was attempting to file his motion as part of his ongoing declaratory judgment action,* rather than as a new § 2241 action. We therefore grant leave to proceed in forma pauperis, vacate the district court's order, and remand with instructions to strike the § 2241 action, No. 1:15-cv-00464, from the district court's docket after transferring all of Hampton's motions to the docket of his pending declaratory judgment action, No. 1:15-cv-00318. We express no opinion regarding the merits of the latter case. We deny as moot all of Hampton's motions filed in this court, including his motions for declaratory judgment, for discovery, to enjoin, to raise a judicial question, to present exhibits, and to present government grievances. We dispense with oral argument because the facts and legal contentions are adequately

* See Hampton v. Fed. Corr. Complex Petersburg, No. 1:15-cv-00318-CMH-TCB (E.D. Va.).

presented in the materials before this court and argument would not aid the decisional process.

VACATED AND REMANDED WITH INSTRUCTIONS