

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-7128**

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LARRY RAY WARD, a/k/a Red,

Petitioner - Appellant,

v.

UNITED STATES OF AMERICA,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, Chief District Judge. (5:11-cr-00286-D-1; 5:13-cv-00828-D)

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Submitted: April 28, 2017

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Decided: May 16, 2017

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Before SHEDD, AGEE, and KEENAN, Circuit Judges.

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Affirmed as modified by unpublished per curiam opinion.

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Larry Ray Ward, Appellant Pro Se. Shailika S. Kotiya, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Larry Ray Ward, a federal prisoner, appeals the district court's order denying his 28 U.S.C. § 2241 (2012) petition. We have reviewed the record and find no reversible error. Ward has failed to satisfy his burden of demonstrating that 28 U.S.C. § 2255 (2012) is an inadequate or ineffective means of challenging the validity of his detention. *See United States v. Poole*, 531 F.3d 263, 267 n.7 (4th Cir. 2008). The district court lacked jurisdiction over Ward's petition, *Rice v. Rivera*, 617 F.3d 802, 807 (4th Cir. 2010), and we therefore modify its order, *Ward v. United States*, No. 5:11-cr-00286-D-1 (E.D.N.C. June 25, 2015), to reflect a dismissal without prejudice for lack of jurisdiction and affirm the dismissal as modified, 28 U.S.C. § 2106 (2012). 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 AS MODIFIED*