

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7883

CREADELL HUBBARD,

Petitioner - Appellant,

v.

CHARLES RATLEDGE, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. Glen E. Conrad, District Judge. (7:15-cv-00599-GEC-RSB)

Submitted: December 21, 2018

Decided: January 10, 2019

Before GREGORY, Chief Judge, HARRIS, Circuit Judge, and HAMILTON, Senior
Circuit Judge.

Vacated and remanded by unpublished per curiam opinion.

Creadell Hubbard, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Creadell Hubbard appeals from the district court's order denying his 28 U.S.C. § 2241 (2012) petition. The district court ruled that Hubbard's challenge to his career offender status was not cognizable under § 2241 pursuant to *In re Jones*, 226 F.3d 328 (4th Cir. 2000). However, when it issued its decision, the district court did not have the benefit of our decisions in *United States v. Wheeler*, 886 F.3d 415 (4th Cir. 2018), and *Lester v. Flournoy*, 909 F.3d 708 (4th Cir. 2018). Accordingly, we grant leave to proceed in forma pauperis, vacate the district court's order, and remand for further consideration of Hubbard's petition, including any relevant jurisdictional issues. 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.

VACATED AND REMANDED