

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-2320

In re: JESSE UPCHURCH,

Petitioner.

On Petition for Writ of Habeas Corpus.

Submitted: December 21, 2017

Decided: December 27, 2017

Before WILKINSON and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition transferred by unpublished per curiam opinion.

Jesse Upchurch, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM

Jesse Upchurch has filed a petition for an original writ of habeas corpus challenging his North Carolina convictions for driving while intoxicated and assault on a law enforcement officer and seeking immediate release. We ordinarily decline to entertain original habeas petitions under 28 U.S.C. § 2241 (2012), and this case provides no reason to depart from the general rule. Accordingly, in the interests of justice we transfer the case to the United States District Court for the Eastern District of North Carolina. *See* 28 U.S.C. § 2241(b); Fed. R. App. P. 22(a). We deny Upchurch's motion for bail without prejudice and defer the disposition of Upchurch's motion to proceed in forma pauperis to the district court. 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.

PETITION TRANSFERRED