

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-6064

JOHN TAYLOR TYER,

Petitioner - Appellant,

v.

ERIC WILSON, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Arenda L. Wright Allen, District Judge. (2:17-cv-00294-AWA-DEM)

Submitted: August 23, 2018

Decided: August 27, 2018

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

Affirmed by unpublished per curiam opinion.

John Taylor Tyer, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Taylor Tyer, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and denying his 28 U.S.C. § 2241 (2012) petition without prejudice for lack of jurisdiction. 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. *Tyer v. Wilson*, No. 2:17-cv-00294-AWA-DEM (E.D. Va. filed Dec. 5, 2017 & entered Dec. 7, 2017); *see United States v. Wheeler*, 886 F.3d 415, 423 (4th Cir. 2018) (holding that savings clause of 28 U.S.C. § 2255(e) (2012) is jurisdictional provision). 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