

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-6751

OSVALDO RIVERA RODRIGUEZ,

Petitioner - Appellant,

v.

ROBERT HUDGINS, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the Northern District of West Virginia, at
Wheeling. John Preston Bailey, District Judge. (5:20-cv-00128-JPB)

Submitted: July 20, 2022

Decided: July 21, 2022

Before AGEE and WYNN, Circuit Judges, and FLOYD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Oswaldo Rivera Rodriguez, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Oswaldo Rivera Rodriguez, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice Rodriguez's 28 U.S.C. § 2241 petition in which he challenged the conditions of his confinement. Rodriguez contended that he is incorrectly assigned to a higher security correctional facility as the result of a miscalculation in his custody level. The district court held that the claim Rodriguez sought to raise was not cognizable under § 2241. We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order. *Rodriguez v. Hudgins*, No. 5:20-cv-00128-JPB (N.D.W. Va. Apr. 21, 2021). 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