

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 22-7221**

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JEFFREY BRIAN WALLER,

Petitioner - Appellant,

v.

(FCI) MCDOWELL WARDEN,

Respondent - Appellee.

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Appeal from the United States District Court for the Southern District of West Virginia, at Bluefield. David A. Faber, Senior District Judge. (1:19-cv-00278)

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Submitted: December 6, 2023

Decided: March 1, 2024

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Before AGEE and BENJAMIN, Circuit Judges, and MOTZ, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Jeffrey Brian Waller, Appellant Pro Se. Holly J. Wilson, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jeffrey Brian Waller, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and dismissing his 28 U.S.C. § 2241 petition seeking to challenge his conviction and sentence by way of the savings clause in 28 U.S.C. § 2255(e). In light of the Supreme Court's decision in *Jones v. Hendrix*, 143 S. Ct. 1857, 1864, 1867-69 (2023) (holding that petitioner cannot use § 2241 petition to mount successive collateral challenges to federal convictions or sentences), we conclude that Waller cannot pursue his claims in a § 2241 petition. Accordingly, we affirm the district court's order. *See Waller v. Warden*, No. 1:19-cv-00278 (S.D.W. Va. Sept. 21, 2022). We deny his motion for a certificate of appealability as unnecessary. 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*