

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-7440

DAVID CAIN, JR.,

Petitioner - Appellant,

v.

WARDEN STREEVAL,

Respondent - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. Thomas T. Cullen, District Judge. (7:21-cv-00338-TTC-RSB)

Submitted: December 14, 2023

Decided: December 18, 2023

Before GREGORY and RUSHING, Circuit Judges, and MOTZ, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

David Cain, Jr., Appellant Pro Se. Laura Taylor, OFFICE OF THE UNITED STATES
ATTORNEY, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Cain, Jr., appeals the district court's orders dismissing his 28 U.S.C. § 2241 petition and denying reconsideration. In light of the Supreme Court's decision in *Jones v. Hendrix*, 599 U.S. 465, 477-80 (2023) (holding that petitioner cannot use § 2241 petition to mount successive collateral attack on validity of federal conviction or sentence), we conclude that Cain cannot pursue his claims in a § 2241 petition. Accordingly, we affirm the district court's orders. *Cain v. Streeval*, No. 7:21-cv-00338-TTC-RSB (W.D. Va. July 28, 2022; Oct. 17, 2022). We deny Cain's motion to appoint counsel. 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