UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-7266

KUNTA K. REDD,

Petitioner - Appellant,

v.

ERIC WILSON,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. John A. Gibney, Jr., District Judge. (3:17-cv-00393-JAG-RCY)

Submitted: November 16, 2017 Decided: November 21, 2017

Before GREGORY, Chief Judge, and TRAXLER and KEENAN, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Kunta K. Redd, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kunta K. Redd, a federal prisoner, appeals the district court's order dismissing his 28 U.S.C. § 2241 (2012) petition for lack of jurisdiction. We have reviewed the record and find no reversible error. Redd has failed to satisfy his burden of demonstrating that 28 U.S.C. § 2255 (2012) is an inadequate or ineffective means of challenging the validity of his detention. *See Rice v. Rivera*, 617 F.3d 802, 807 (4th Cir. 2010); *United States v. Poole*, 531 F.3d 263, 267 n.7 (4th Cir. 2008). The district court lacked jurisdiction over Redd's petition, *Rice*, 617 F.3d at 807, and we therefore grant leave to proceed in forma pauperis, modify the district court's order, *Redd v. Wilson*, No. 3:17-cv-00393-JAG-RCY (E.D. Va. Sept. 14, 2017), to reflect a dismissal without prejudice, and affirm the dismissal as modified, 28 U.S.C. § 2106 (2012). We deny Redd's motion to appoint counsel and 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 AS MODIFIED