

**UNPUBLISHED**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 22-7352**

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ROBERT BRUCE GILLINS,

Petitioner - Appellant,

v.

WARDEN R. HUDGINS,

Respondent - Appellee,

and

UNITED STATES PENITENTIARY HAZELTON; DIRECTOR MICHAEL  
CARVAJAL, Bureau of Prisons,Respondents.

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Appeal from the United States District Court for the Northern District of West Virginia, at  
Wheeling. John Preston Bailey, District Judge. (5:21-cv-00093-JPB-JPM)

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Submitted: February 23, 2024

Decided: March 27, 2024

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Before NIEMEYER, KING, and RUSHING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Robert Bruce Gillins, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Robert Bruce Gillins, a federal prisoner, filed a 28 U.S.C. § 2241 petition challenging the execution of his sentence, arguing that his federal and state sentences should have run concurrently and that he was denied due process and equal protection with regard to sentencing credit. The district court denied relief, finding that Gillins had failed to exhaust administrative remedies and that, in any event, his due process claim failed on the merits. We dismissed Gillins' appeal of that order as interlocutory because the district court had not addressed the equal protection claim. *Gillins v. Hudgins*, No. 22-6069, 2022 WL 1711685 (4th Cir. May 27, 2022). On remand, the district court concluded that Gillins had not fully exhausted his claim, that he failed to show exhaustion should be excused, and that, in any event, the equal protection claim lacked merit, noting that the federal judgment did not order the sentence to run concurrently with any other sentence. We have reviewed the record and find no reversible error in the district court's denial of Gillins' due process and equal protection claims on the merits. *See generally* 18 U.S.C. § 3584. Accordingly, we affirm. *Gillins v. Hudgins*, No. 5:21-cv-00093-JPB-JPM (N.D.W. Va. Dec. 7, 2021; Nov. 1, 2022). We grant Gillins' motion to seal the motion and accompanying supplemental authority filed in October 2023, and we deny his motion to compel. 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*