

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-7265

GEORGE ANTONIO VARGAS,

Petitioner - Appellant,

v.

R. BROWN, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. Gina M. Groh, District Judge. (3:23-cv-00070-GMG-RWT)

Submitted: June 25, 2024

Decided: June 27, 2024

Before RICHARDSON and QUATTLEBAUM, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

George Antonio Vargas, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

George Antonio Vargas, a federal prisoner, appeals the district court's order dismissing for lack of subject matter jurisdiction his 28 U.S.C. § 2241 petition in which he sought to challenge his sentence by way of the savings clause in 28 U.S.C. § 2255. Pursuant to § 2255(e), a prisoner may challenge his sentence in a traditional writ of habeas corpus pursuant to § 2241 if a § 2255 motion would be inadequate or ineffective to test the legality of his detention. In light of the Supreme Court decision in *Jones v. Hendrix*, 599 U.S. 465 (2023) (holding that petitioner cannot use § 2241 petition to mount successive collateral attack on validity of federal sentence), we conclude that the district court correctly determined that Vargas cannot pursue his claims in a § 2241 petition.

Accordingly, we affirm the district court's order. *Vargas v. Brown*, No. 3:23-cv-00070-GMG-RWT (N.D.W.V. Oct. 25, 2023). 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