UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7301

DAMON ELLIOTT,

Petitioner - Appellant,

v.

ERIC D. WILSON,

Respondent - Appellee.

No. 16-6501

DAMON ELLIOTT,

Petitioner - Appellant,

v.

ERIC D. WILSON,

Respondent - Appellee.

Appeals from the United States District Court for the Eastern District of Virginia, at Alexandria. Liam O'Grady, District Judge. (1:14-cv-00209-LO-JFA)

Submitted: September 27, 2016 Decided: September 28, 2016

Before SHEDD, DUNCAN, and DIAZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

Damon Elliott, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In No. 15-7301, Damon Elliott, a federal inmate, appeals the district court's order construing his 28 U.S.C. § 2241 (2012) petition as a successive 28 U.S.C. § 2255 (2012) motion, and denying relief on that basis. We remanded for the limited purpose of permitting the district court to determine whether Elliott's notice of appeal should be construed as a motion to reopen the appeal period, and if so, whether reopening was merited. On remand, the district court granted Elliott's motion to reopen. In No. 16-6501, Elliott appeals this subsequent order.

We have reviewed the record and find no reversible error. Accordingly, we deny Elliott's motion for the appointment of counsel in No. 15-7301, grant his motions to proceed in forma pauperis, and affirm for the reasons stated by the district court. Elliott v. Wilson, No. 1:14-cv-00209-LO-JFA (E.D. Va. filed Feb. 10, 2015 & entered Feb. 23, 2015; filed Mar. 14, 2016 & entered Mar. 15, 2016). 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