

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 09-1177

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Alan E. Gurski,	*	
	*	
Appellant,	*	Appeal from the United States
	*	District Court for the
v.	*	Eastern District of Arkansas.
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T. C. Outlaw, Warden, FCI - Forrest	*	[UNPUBLISHED]
City,	*	
Appellee.	*	

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Submitted: December 29, 2009  
Filed: January 4, 2010 (Corrected: 01/14/2010)

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Before BYE, BOWMAN, and BENTON, Circuit Judges.

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PER CURIAM.

Federal prisoner Alan E. Gurski appeals from the order of the District Court<sup>1</sup> denying his 28 U.S.C. § 2241 petition, which contends that the United States Bureau of Prisons (BOP) wrongfully denied him credit on his federal sentence for time served on his state sentence. We have carefully reviewed the briefs, the record, and the applicable law. We conclude that the BOP's decision is supported by 18 U.S.C.

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<sup>1</sup>The Honorable Brian S. Miller, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendation of the Honorable H. David Young, United States Magistrate Judge for the Eastern District of Arkansas.

§ 3584(a) ("Multiple terms of imprisonment imposed at different times run consecutively unless the court orders that the terms are to run concurrently."); 18 U.S.C. § 3585(b)(2) (providing that credit is available for any time spent in detention "that has not been credited against another sentence"); and BOP Program Statement 5160.05 (providing for designation of non-federal institution for service of federal sentence under certain circumstances). See Fegans v. United States, 506 F.3d 1101, 1104–05 (8th Cir. 2007) (explaining our limited scope of review of BOP's decision). We therefore affirm. We also grant appellee's motion filed pursuant to Rule 32.1A of the Eighth Circuit Local Rules asking us to consider two unpublished cases.

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