

United States Court of Appeals
For the Eighth Circuit

No. 15-3478

James Mitchell

Plaintiff - Appellant

v.

C.V. Rivera, Warden, FCI - Forrest City Medium

Defendant - Appellee

Appeal from United States District Court
for the Eastern District of Arkansas - Helena

Submitted: June 2, 2016

Filed: June 10, 2016

[Unpublished]

Before MURPHY, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

James Mitchell appeals the district court's¹ dismissal of his 28 U.S.C. § 2241 petition. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

¹The Honorable Joe J. Volpe, United States Magistrate Judge for the Eastern District of Arkansas, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

Following a de novo review of the record and careful consideration of Mitchell's arguments for reversal, this court concludes that Mitchell is not entitled to relief. *See Hill v. Morrison*, 349 F.3d 1089, 1091 (8th Cir. 2003) (de novo review of § 2241 petitions). The district court did not order concurrent sentences and the Bureau of Prisons did not err in denying Mitchell's request for nunc pro tunc designation. *See* 18 U.S.C. § 3584(a) (unless court orders otherwise, multiple sentences imposed at different times run consecutively); 18 U.S.C. § 3621(b) (listing factors BOP must consider in designating place of prisoner's imprisonment); *Elwell v. Fisher*, 716 F.3d 477, 485-86 (8th Cir. 2013) (BOP's denial of nunc pro tunc designation is reviewed for abuse of discretion).

The judgment is affirmed. *See* 8th Cir. R. 47B.
