

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6443

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ANTONIO PIERRE SHUFFORD,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. James C. Fox, Senior District Judge. (CR-01-82, CA-02-174-7-F1)

Submitted: June 30, 2003

Decided: August 20, 2003

Before MOTZ, KING, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Antonio Pierre Shufford, Appellant Pro Se. Winnie Jordan Reaves, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Antonio Pierre Shufford appeals from the orders of the district court denying relief on his motions filed pursuant to 28 U.S.C. § 2255 (2000), and Fed. R. Civ. P. 59(e). He preserved for this appeal only his claim that his counsel provided ineffective assistance. See 4th Cir. R. 34(b). This court may only grant a certificate of appealability if the appellant makes a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2) (2000). The relevant inquiry is whether “reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong.” Miller-El v. Cockrell, 123 S. Ct. 1029, 1040 (2003) (quoting Slack v. McDaniel, 529 U.S. 473, 484 (2000)). We have independently reviewed the record and conclude that Shufford has failed to make this showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED