

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-7790**

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HENRY ERIC HAMILTON,

Petitioner - Appellant,

versus

JAMES V. PEGUESE, Warden,

Respondent - Appellee.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Andre M. Davis, District Judge.  
(CA-03-2177-AMD)

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Submitted: April 30, 2004

Decided: June 10, 2004

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Before NIEMEYER, LUTTIG, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Henry Eric Hamilton, Appellant Pro Se. Ann Norman Bosse, OFFICE OF  
THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Henry Eric Hamilton appeals from the dismissal of his 28 U.S.C. § 2254 (2000) petition by the district court. An appeal may not be taken to this court from the final order in a § 2254 proceeding unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). A prisoner satisfies this standard by demonstrating that jurists of reason would find that his constitutional claims are debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. See Miller-El v. Cockrell, 537 U.S. 322, 336 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001).

We have reviewed the record and Hamilton's submissions and conclude that he has not made the requisite showing. We therefore 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 in the decisional process.

DISMISSED