

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-6306

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MARY KATHERINE JOHNSON, a/k/a Paula C. Winland, a/k/a Mary Katherine Simmons, a/k/a Paula C. Petty, a/k/a Mary Katherine Parker, a/k/a Daneale Louise Pulliam, a/k/a Danielle Novak, a/k/a Elaine Moench, a/k/a Grace E. Moench, a/k/a Mary Katherine Jackson, a/k/a Daneale Louise Johnson, a/k/a Paula C. Hargrove, a/k/a Judith Pamela Hargrove, a/k/a Kathy Anne Galliger, a/k/a Kathy Gallegos, a/k/a Mary Katherine Giles, a/k/a Deanna G. Chase, a/k/a Deanne Claire, a/k/a Jackie C. Chambers, a/k/a Grace E. Bryan, a/k/a Mary Katherine Boyde, a/k/a Martin Elliott Bates, a/k/a Deanna Gail Bates, a/k/a Danielle Ainsworth, a/k/a Mary Katherine Johnson Giles Holder,

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-98-26; CA-03-188-7-F)

Submitted: April 15, 2004

Decided: April 23, 2004

Before NIEMEYER and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Mary Katherine Johnson, Appellant Pro Se. Scott L. Wilkinson,
OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mary Katherine Johnson, a federal prisoner, seeks to appeal the district court's order denying relief on her motion filed under 28 U.S.C. § 2255 (2000). An appeal may not be taken from the final order in a § 2255 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 for claims addressed by a district court 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 reasonable jurists would find both that her 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 independently reviewed the record and conclude that Johnson has not made the requisite 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