

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 04-7529**

---

MARK FRANCIS HANNA,

Petitioner - Appellant,

versus

STATE OF WEST VIRGINIA; HOWARD PAINTER; THOMAS  
MCBRIDE, Warden, Mount Olive Correctional  
Complex,

Respondents - Appellees.

---

Appeal from the United States District Court for the Southern  
District of West Virginia, at Parkersburg. Joseph Robert Goodwin,  
District Judge. (CA-01-150-6)

---

Submitted: March 30, 2005

Decided: April 11, 2005

---

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

---

Dismissed by unpublished per curiam opinion.

---

Mark Francis Hanna, Appellant Pro Se. Dawn Ellen Warfield, OFFICE  
OF THE ATTORNEY GENERAL OF WEST VIRGINIA, Charleston, West  
Virginia, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mark Francis Hanna, a West Virginia inmate, seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C. § 2254 (2000). An appeal may not be taken from the final order in a habeas corpus 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 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 independently reviewed the record and conclude that Hanna has not made the requisite showing. Accordingly, we deny Hanna's motion to amend his § 2254 petition, deny his motion for appointment of counsel, 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