

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-6190

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DANIEL PROFIT DAVIS, a/k/a Daniel Prophet
Davis, a/k/a Proffit Davis,

Defendant - Appellant.

No. 05-6244

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DANIEL PROFIT DAVIS, a/k/a Daniel Prophet
Davis, a/k/a Proffit Davis,

Defendant - Appellant.

Appeals from the United States District Court for the Middle
District of North Carolina, at Durham. James A. Beaty, Jr.,
District Judge. (CR-01-444; CA-04-266-1; CA-04-266)

Submitted: June 13, 2005

Decided: July 18, 2005

Before LUTTIG, WILLIAMS, and MOTZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Daniel Profit Davis, Appellant Pro Se. Robert Albert Jamison Lang,
OFFICE OF THE UNITED STATES ATTORNEY, Winston-Salem, North
Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

In these consolidated appeals, Daniel Profit Davis appeals the district court's order adopting the magistrate judge's recommendation and denying his 28 U.S.C. § 2255 (2000) motion and the magistrate judge's order denying his motion to amend. The orders are not appealable 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 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, 336-38 (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 Davis has not made the requisite showing. Accordingly, we deny certificates of appealability and the motions to proceed in forma pauperis and dismiss the appeals. 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