

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-6555

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ANTHONY GRANDISON,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. William D. Quarles, Jr., District Judge. (CR-83-200)

Submitted: August 17, 2005

Decided: September 14, 2005

Before WILKINSON, NIEMEYER, and WILLIAMS, Circuit Judges.

Dismissed by unpublished per curiam.

Anthony Grandison, Appellant Pro Se. Roann Nichols, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Anthony Grandison, a federal prisoner, seeks to appeal the district court's order denying relief on his 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 the district court's assessment of his constitutional claims is debatable or wrong 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 Grandison 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

^{*}To the extent that the motion was properly brought pursuant to former Fed. R. Crim. P. 35(a), a review of the record and the district court's orders denying the motion and Grandison's motion for reconsideration discloses that the appeal is without merit, and we affirm for the reasons stated by the district court. See United States v. Grandison, No. CR-83-200 (D. Md. Feb. 4, 2005, and Mar. 14, 2005).

adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED