

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-7850**

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RODNEY COLEMAN,

Petitioner - Appellant,

versus

STAN BURTT, Warden; HENRY MCMASTER, Attorney  
General for South Carolina,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Rock Hill. G. Ross Anderson, Jr., District  
Judge. (CA-05-683-5)

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Submitted: March 30, 2006

Decided: April 10, 2006

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Before TRAXLER, GREGORY, and SHEDD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Rodney Coleman, Appellant Pro Se. Donald John Zelenka, Chief  
Deputy Attorney General, Columbia, South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Rodney Coleman, a South Carolina prisoner, seeks to appeal the district court's order accepting the recommendation of the magistrate judge and dismissing Coleman's 28 U.S.C. § 2254 (2000) petition as untimely filed. 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 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 the district court's assessment of his constitutional claims is 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 Coleman has not made the requisite showing. Accordingly, we deny Coleman's motion for 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