

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7855

ANDRE DRAYTON,

Petitioner - Appellant,

versus

A. D. ROBINSON, Warden,

Defendant - Appellee.

No. 05-7892

ANDRE DRAYTON,

Petitioner - Appellant,

versus

A. D. ROBINSON, Warden,

Defendant - Appellee.

Appeals from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (CA-05-840-1)

Submitted: March 23, 2006

Decided: March 30, 2006

Before WILKINSON, LUTTIG, and WILLIAMS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Andre Drayton, Appellant Pro Se. Stephen R. McCullough, Assistant Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

In these consolidated appeals, Andre Drayton, a state prisoner, seeks to appeal the district court's order* denying relief on his petition filed under 28 U.S.C. § 2254 (2000). The order is 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 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 Drayton has not made the requisite showing. Accordingly, we deny certificates of appealability 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

*The order Drayton seeks to appeal in No. 05-7855 was vacated by the district court pursuant to Fed. R. Civ. P. 60(a). Therefore, that appeal is moot. We have reviewed the district court's order entered on November 17, 2005, which Drayton seeks to appeal in No. 05-7892.