

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-6127**

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UNITED STATES OF AMERICA,  
  
Plaintiff - Appellee,

v.

MIGUEL ANGEL LARA-ALVAREZ,  
  
Defendant - Appellant.

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**No. 08-6165**

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UNITED STATES OF AMERICA,  
  
Plaintiff - Appellee,

v.

MIGUEL ANGEL LARA-ALVAREZ,  
  
Defendant - Appellant.

Appeals from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Senior District Judge. (7:01-cr-00130-F-3; 7:05-cv-00069-F)

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Submitted: September 30, 2008                      Decided: October 24, 2008

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Before MOTZ, TRAXLER, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Miguel Angel Lara-Alvarez, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Miguel Angel Lara-Alvarez seeks to appeal the district court's orders denying relief on his 28 U.S.C. § 2255 (2000) motion and denying his motion for a certificate of appealability. An order denying relief in a § 2255 proceeding 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 any assessment of the constitutional claims by the district court is debatable or wrong and that any dispositive procedural ruling by the district court is likewise debatable. 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, 683-84 (4th Cir. 2001). We have independently reviewed the record and conclude that Lara-Alvarez has not made the requisite showing. Accordingly, we deny a certificate 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