

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-7206

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GARRETT DON SMITH, a/k/a/ Garrin David Smith,

Defendant - Appellant.

No. 08-7215

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GARRETT DON SMITH,

Defendant - Appellant.

Appeals from the United States District Court for the District
of South Carolina, at Greenville. G. Ross Anderson, Jr.,
District Judge. (6:04-cr-00466-GRA-1; 6:08-cv-70067-GRA; 6:05-
cv-02932-GRA)

Submitted: October 21, 2008

Decided: October 29, 2008

Before MICHAEL, TRAXLER, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Garrett Don Smith, Appellant Pro Se. Leesa Washington,
Assistant United States Attorney, Isaac Louis Johnson, Jr.,
OFFICE OF THE UNITED STATES ATTORNEY, Greenville, South
Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Garrett Don Smith seeks to appeal the district court's orders denying relief on his 28 U.S.C. § 2255 (2000) motion, dismissing his subsequent § 2255 motions as successive, and denying his motion to amend as moot. 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 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 in each appeal and conclude that Smith has not made the requisite showing. Accordingly, we deny certificates of appealability and dismiss the appeals. We grant Smith's motion to amend the informal brief and 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