

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-6386**

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WILLIAM DUANE SCRIBER,

Petitioner - Appellant,

v.

ROBERT KOPPEL; THE ATTORNEY GENERAL OF THE STATE OF  
MARYLAND,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Richard D. Bennett, District Judge.  
(1:07-cv-03188-RDB)

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Submitted: July 10, 2009

Decided: July 28, 2009

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Before DUNCAN and AGEE, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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William Duane Scriber, Appellant Pro Se. Edward John Kelley,  
OFFICE OF THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland,  
for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Duane Scriber seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (2006) petition. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. See 28 U.S.C. § 2253(c)(1) (2006). 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) (2006). 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. 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, 683-84 (4th Cir. 2001). We have independently reviewed the record and conclude Scriber has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We also deny Scriber's motions for a copy of the transcript at Government expense and for appointment of counsel. 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