UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6452

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ISAAC LEE WOODS; REGINA BAILEY WOODS,

Defendants – Appellants.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, Chief District Judge. (5:05-cr-00131-FL-1; 5:05-cr-00131-FL-2; 5:09-cv-00396-FL; 5:09-cv-00397-FL)

Submitted: July 29, 2010 Decided: September 14, 2010

Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Isaac Lee Woods, Regina Bailey Woods, Appellants Pro Se. Edward D. Gray, Jennifer P. May-Parker, Assistant United States Attorneys, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Isaac Lee Woods and Regina Bailey Woods seek to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on their 28 U.S.C.A. § 2255 (West Supp. 2010) motion. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 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). When the district court denies relief on the merits, an appellant satisfies this standard by demonstrating that reasonable jurists would find that the district court's assessment of the constitutional claims is debatable or wrong. Slack v. McDaniel, 529 U.S. 473, 484 (2000); see Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003). When the district court denies relief on procedural grounds, an appellant must demonstrate both that the dispositive procedural ruling is debatable, and that the motion states a debatable claim of the denial of a constitutional right. Slack, 529 U.S. at 484-85. We have independently reviewed the record and conclude that the Woods have not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We also deny the Woods' motions seeking a copy of a transcript at Government expense, random case assignment to a different panel, recusal of panel

and to expedite the decision. We deny Isaac Woods' motion for release pending 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