

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6333

STANLEY LORENZO WILLIAMS,

Petitioner - Appellant,

v.

ROBERT W. SMITH, Supt.; SECRETARY OF CORRECTIONS, Theodis
Beck,

Respondents - Appellees.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. Thomas David
Schroeder, District Judge. (1:07-cv-00757-TDS)

Submitted: July 22, 2011

Decided: August 11, 2011

Before KING, GREGORY, and DAVIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Stanley Lorenzo Williams, Appellant Pro Se. Clarence Joe
DelForge, III, Mary Carla Hollis, Assistant Attorneys General,
Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Stanley Lorenzo Williams seeks to appeal the district court's order accepting the recommendation of the magistrate judge and 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. 28 U.S.C. § 2253(c)(1)(A) (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, a prisoner 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, the prisoner must demonstrate both that the dispositive procedural ruling is debatable, and that the petition 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 Williams has not made the requisite showing. Accordingly, we deny Williams' motion for a certificate of appealability and dismiss the appeal. We deny Williams' motion for a transcript at Government expense and for a stay pending appeal, and grant his motion for leave to amend his informal

brief. 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