

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-7216**

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FAYE BROWN,

Petitioner - Appellant,

v.

ALVIN WILLIAM KELLER, JR.; KENNETH ROYSTER,

Respondents - Appellees.

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**No. 11-7217**

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ALFORD JONES,

Petitioner - Appellant.

v.

ALVIN WILLIAM KELLER, JR.; BOBBY HARLESS,

Respondents - Appellees.

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Appeals from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. James C. Dever, III,  
Chief District Judge. (5:11-hc-02171-D; 5:11-hc-02170-D)

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Submitted: June 21, 2012

Decided: June 25, 2012

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Before GREGORY, SHEDD, and DAVIS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Vernetta Rinoa Alston, CENTER FOR DEATH PENALTY LITIGATION,  
Durham, North Carolina, for Appellant.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellants seek to appeal the district court's order denying relief on their petitions filed under 28 U.S.C.A. §§ 2241, 2254 (West 2006 & Supp. 2011). The order is not appealable unless a circuit justice or judge issues a certificate of appealability. See 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 Appellants have not made the requisite showing. The Appellants' claims were recently rejected by this court in Waddell v. Dep't of Corr., \_\_\_ F.3d \_\_\_, No. 11-7234, 2012 WL 1890394 (4th Cir. May 25, 2012). Accordingly, we deny a

certificate of appealability and dismiss the appeal. We deny Appellants' counsel's motion to withdraw. 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