

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-7416**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSEPH GEORGE ECKER, a/k/a Joseph George Wechsler, a/k/a  
Joseph G. Ecker, a/k/a Tom Ellis, a/k/a Joe Ecker, a/k/a  
Larry James Floyd, a/k/a James Nelson,

Defendant - Appellant.

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**No. 13-6243**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSEPH GEORGE ECKER, a/k/a Joseph George Wechsler, a/k/a  
Joseph G. Ecker, a/k/a Tom Ellis, a/k/a Joe Ecker, a/k/a  
Larry James Floyd, a/k/a James Nelson,

Defendant - Appellant.

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Appeals from the United States District Court for the Eastern  
District of Virginia, at Alexandria. Leonie M. Brinkema,  
District Judge. (1:10-cr-00158-LMB-1; 1:11-cv-01006-LMB)

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Submitted: May 30, 2013

Decided: June 18, 2013

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Before AGEE, KEENAN, and DIAZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Joseph George Ecker, Appellant Pro Se. Stacy Bogert, Sarah  
Devlin, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria,  
Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, Joseph George Ecker seeks to appeal the district court's orders (1) denying Ecker's 28 U.S.C.A. § 2255 (West Supp. 2012) motion (No. 13-6243); and (2) verifying its previous denial of Ecker's motion for appointment of counsel (No. 12-7416). The orders are not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(B) (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 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 Ecker has not made the requisite showing. Accordingly, we deny Ecker's motion for a certificate of appealability in No.

13-6243, deny a certificate of appealability in No. 12-7416, and dismiss the appeals. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED