

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7039

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CYNTHIA DAMARIZ SALAMANCA, a/k/a Alicebeth Nazario, a/k/a
Marisabel Gonzalez,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern
District of Virginia, at Richmond. Henry E. Hudson, District
Judge. (3:11-cr-00255-HEH-1; 3:13-cv-00118-HEH)

Submitted: April 29, 2014

Decided: May 9, 2014

Before KEENAN and THACKER, Circuit Judges, and DAVIS, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Jerome Michael Brown, Philadelphia, Pennsylvania, for Appellant.
Erik Sean Siebert, OFFICE OF THE UNITED STATES ATTORNEY,
Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cynthia Damariz Salamanca seeks to appeal the district court's order dismissing her 28 U.S.C. § 2255 (2012) motion for lack of jurisdiction. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(B) (2012). 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) (2012). When the district court denies relief on procedural grounds, as in the present case, 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 Salamanca has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. 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