

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6827

RAYVON LORENZO WILSON,

Petitioner - Appellant,

versus

JACK LEE, Warden, Keen Mountain Correctional
Center,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern
District of Virginia, at Richmond. James R. Spencer, District
Judge. (CA-02-551-3)

Submitted: June 30, 2004

Decided: July 27, 2004

Before LUTTIG, MICHAEL, and SHEDD, Circuit Judges.

Affirmed in part; dismissed in part by unpublished per curiam
opinion.

Rayvon Lorenzo Wilson, Appellant Pro Se. Donald Eldridge Jeffrey,
III, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond,
Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Rayvon Lorenzo Wilson seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C. § 2254 (2000). On appeal, he alleges that the evidence was insufficient to support his conviction and that he received ineffective assistance of trial counsel. Because the district court granted a certificate of appealability on the sufficiency of the evidence claim and because we find no reversible error on appeal, we affirm the dismissal of this claim on the reasoning of the district court. See Wilson v. Lee, No. CA-02-551-3 (E.D. Va. Apr. 4, 2003). Regarding Wilson's claim of ineffective assistance, a certificate of appealability is pending. This portion of the order is not appealable, however, unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000). 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) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find that his constitutional claims are debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. See Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2000). We have independently reviewed the record and conclude that Wilson has not made the requisite showing.

Accordingly, we deny a certificate of appealability and dismiss this portion of the 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.

AFFIRMED IN PART;
DISMISSED IN PART