

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-6544**

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OLLIE LEMON,

Petitioner - Appellant,

versus

RONALD HUTCHINSON; J. JOSEPH CURRAN, JR.,  
Attorney General for the State of Maryland,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Catherine C. Blake, District Judge. (CA-  
03-3008-1)

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Submitted: May 27, 2004

Decided: June 4, 2004

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Before WIDENER, MICHAEL, and KING, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Ollie Lemon, Appellant Pro Se. Ann Norman Bosse, OFFICE OF THE  
ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Ollie Lemon seeks to appeal the district court's order dismissing his 28 U.S.C. § 2254 (2000) petition. Lemon cannot appeal this order unless a circuit judge or justice issues a certificate of appealability, and 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 habeas appellant meets 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 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001). We have independently reviewed the record and conclude Lemon 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 the court and argument would not aid the decisional process.

DISMISSED