

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 04-7023**

---

LUNZELL VENABLE,

Petitioner - Appellant,

versus

VIRGINIA DEPARTMENT OF CORRECTIONS,

Respondent - Appellee.

---

**No. 04-7060**

---

LUNZELL VENABLE,

Petitioner - Appellant,

versus

VIRGINIA DEPARTMENT OF CORRECTIONS,

Respondent - Appellee.

---

Appeals from the United States District Court for the Western  
District of Virginia, at Roanoke. James C. Turk, Senior District  
Judge. (CA-03-593)

---

Submitted: September 9, 2004

Decided: September 16, 2004

---

Before WILKINSON, MICHAEL, and GREGORY, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Lunzell Venable, Appellant Pro Se. Steven Andrew Witmer, 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Unpublished opinions are not binding precedent in this circuit.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:

In these consolidated appeals, Lonzell Venable seeks to appeal the district court's orders denying his petition filed under 28 U.S.C. § 2254 (2000) and denying his motion for appointment of counsel. The orders are appealable only if 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 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 that Venable has not made the requisite showing. Accordingly, we deny Venable's motion for a certificate of appealability and dismiss the appeal. We also deny Venable's motion for appointment of counsel. 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