

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 05-7537**

---

EDWARD E. MCCORKLE,

Petitioner - Appellant,

versus

JAMES V. PEGUESE, Warden; J. JOSEPH CURRAN,  
JR., Attorney General,

Respondents - Appellees.

---

Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Richard D. Bennett, District Judge. (CA-  
04-1805-RDB)

---

Submitted: November 22, 2005

Decided: December 7, 2005

---

Before MOTZ, TRAXLER, and GREGORY, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Michael Patrick Lytle, WARNKEN, L.L.C., Towson, Maryland, for  
Appellant. Edward John Kelley, OFFICE OF THE ATTORNEY GENERAL OF  
MARYLAND, Baltimore, Maryland, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Edward E. McCorkle seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (2000) petition. The order is not appealable 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 both that the district court's assessment of his constitutional claims is debatable or wrong 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, 683-84 (4th Cir. 2001). We have independently reviewed the record and conclude that McCorkle 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