

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 06-7997

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OSMAN AL MALIKE MURIEL,

Petitioner - Appellant,

versus

DON WOOD, Superintendent; THEODIS BECK,  
Secretary of Corrections,

Respondents - Appellees.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. Terrence W. Boyle,  
District Judge. (5:06-hc-02088)

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Submitted: February 12, 2007

Decided: February 22, 2007

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Before WILLIAMS, MICHAEL, and SHEDD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Osman Al Malike Muriel, Appellant Pro Se. Mary Carla Hollis, NORTH  
CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Osman Al Malike Muriel 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 that any assessment of the constitutional claims by the district court is debatable or wrong and that any dispositive procedural ruling by the district court is likewise debatable. 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 Muriel has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We also deny Muriel leave to proceed in forma pauperis. 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