

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-6783**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

SAMUEL MORRIS OVERSTREET,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, Senior District Judge. (7:04-cr-00009-jct; 7:06-cv-00609-jct)

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Submitted: July 24, 2007

Decided: August 1, 2007

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Before WILKINSON, TRAXLER, and DUNCAN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Samuel Morris Overstreet, Appellant Pro Se. Ronald Andrew Bassford, OFFICE OF THE UNITED STATES ATTORNEY, Roanoke, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Samuel Morris Overstreet seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2255 (2000) motion. 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 Overstreet has not made the requisite showing. Accordingly, we deny Overstreet's motions for bail, to present additional evidence, for new counsel, for transcripts at the government's expense, to disqualify district court judge, and for removal of prosecutor. We further deny as moot Overstreet's motion to expedite his bail motion.

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