UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6588

JAMES HERMAN RAYNOR, SR.,

Petitioner - Appellant,

v.

COMMONWEALTH OF VIRGINIA,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Leonie M. Brinkema, District Judge. (1:24-cv-02181-LMB-IDD)

Submitted: August 27, 2026 Decided: August 31, 2026

Before KING, HEYTENS, and BENJAMIN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

James Herman Raynor, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Herman Raynor, Sr., seeks to appeal the district court's order dismissing as untimely his 28 U.S.C. § 2254 petition.[*] *See Gonzalez v. Thaler*, 565 U.S. 134, 148 & n.9 (2012) (explaining that § 2254 petitions are subject to one-year statute of limitations, running from latest of four commencement dates enumerated in 28 U.S.C. § 2244(d)(1)). The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(A). 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). When, as here, the district court denies relief on procedural grounds, the prisoner must demonstrate both that the dispositive procedural ruling is debatable and that the petition states a debatable claim of the denial of a constitutional right. *Gonzalez*, 565 U.S. at 140-41 (citing *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)).

We have independently reviewed the record and conclude that Raynor has not made the requisite showing. Accordingly, we deny a certificate of appealability, deny Raynor's "Motion to Submit . . . Habeas Corpus and . . . Civil Action," and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately

[*] The district court entered its order dismissing the § 2254 petition on April 22, 2025. However, because the court did not prepare and enter its judgment on a separate document as required by Fed. R. Civ. P. 58(a), the appeal period did not begin to run until 150 days thereafter, or on September 19, 2025. *See* Fed. R. Civ. P. 58(c)(2)(B). Raynor's notice of appeal, which was filed on July 1, 2025, *see Houston v. Lack*, 487 U.S. 266, 276 (1988), was therefore timely.

presented in the materials before this court and argument would not aid the decisional process.

DISMISSED