

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 26-6242

TARUN KUMAR VYAS,

Petitioner - Appellant,

v.

JOSEPH WALTERS,

Respondent - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. Elizabeth K. Dillon, Chief District Judge. (7:25-cv-00002-EKD-CKM)

Submitted: April 28, 2026

Decided: May 1, 2026

Before WILKINSON and GREGORY, Circuit Judges, and TRAXLER, Senior Circuit
Judge.

Dismissed by unpublished per curiam opinion.

Tarun Kumar Vyas, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tarun Kumar Vyas seeks to appeal the district court's order granting his motions to supplement and amend his 28 U.S.C. § 2254 petition, denying his motions for bail, and denying without prejudice various other motions he filed relating to his § 2254 petition. Preliminarily, we grant Vyas's motions to amend, supplement, and exceed length limitations for the informal brief. We deny all Vyas's other pending motions, including his motions to adopt the record and for assignment of counsel.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). The portion of the district court's order denying Vyas's motions for bail is immediately appealable under the collateral order doctrine. *See, e.g., Pagan v. United States*, 353 F.3d 1343, 1345-46, 1345 n.4 (11th Cir. 2003) (adopting rule and collecting cases). The order is not appealable unless a circuit justice or judge issues a certificate of appealability. *See* 28 U.S.C. § 2253(c)(1)(A); *see also Pagan*, 353 F.3d at 1346; *Jones v. Braxton*, 392 F.3d 683, 685-86 (4th Cir. 2004) (recognizing that, in 28 U.S.C. § 2254 proceedings, an immediately appealable collateral order is considered a final order for purposes of certificate of appealability requirement).

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 the district court denies relief on the merits, a prisoner satisfies this standard by demonstrating that reasonable jurists could find the district court's assessment of the constitutional claims debatable or

wrong. *See Buck v. Davis*, 580 U.S. 100, 115-17 (2017). When 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 v. Thaler*, 565 U.S. 134, 140-41 (2012) (citing *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)).

We have independently reviewed the record and conclude that Vyas has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal as to that portion of the district court's order. The remainder of the order Vyas seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss the remainder of the appeal for lack of jurisdiction.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED