

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 06-7881

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

KELVIN ANDRE SPOTTS,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Huntington. Robert C. Chambers, District Judge. (3:98-cr-00047-1; 3:06-cv-00109)

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Submitted: April 19, 2007

Decided: April 23, 2007

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Before NIEMEYER, KING, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Kelvin Andre Spotts, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kelvin Andre Spotts seeks to appeal the district court's order denying his motion for a certificate of appealability. 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 Spotts has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We also deny Spotts' two motions for a specific finding, his motion to stay all proceedings, and his motion to amend his request for a certificate of appealability, all filed on April 2, 2007. 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