<u>**UNPUBLISHED**</u>

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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No. 08-7564

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DOUGLAS W. BREWER,

                Petitioner - Appellant,

     v.

DAVID B. EVERRET, Warden, Sussex II State Prison,

                Respondent - Appellee.

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No. 08-8479

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DOUGLAS W. BREWER,

                Petitioner - Appellant,

     v.

DAVID B. EVERRET, Warden, Sussex II State Prison,

                Respondent - Appellee.

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Appeals from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (1:08-cv-00510-CMH-JFA)

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Submitted: March 20, 2009   Decided: March 31, 2009

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Before WILKINSON, MOTZ, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Douglas W. Brewer, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, Douglas W. Brewer, a Virginia prisoner, seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (2006) petition. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2006). 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) (2006). A prisoner satisfies this standard by showing that reasonable jurists would find the district court's assessment of his constitutional claims debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. Miller-El v. Cockrell, 537 U.S. 322, 336 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 684 (4th Cir. 2001). We have independently reviewed the record and conclude that Brewer has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeals. We also deny Brewer's motion for appointment of counsel. 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