UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-8601

JOHN THOMAS ROBINSON,

             Petitioner - Appellant,

        v.

ROBERT M MAUNEY, Warden, Livesay Correctional Institution,

             Respondent - Appellee.

Appeal from the United States District Court for the District of
South Carolina, at Anderson. R. Bryan Harwell, District Judge.
(8:08-cv-01788-RBH)

Submitted: April 16, 2009   Decided: April 27, 2009

Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

John Thomas Robinson, Appellant Pro Se. Alphonso Simon, Jr.,
SOUTH CAROLINA ATTORNEY GENERAL'S OFFICE, Donald John Zelenka,
Deputy Assistant Attorney General, Columbia, South Carolina, for
Appellee.

PER CURIAM:

John Thomas Robinson seeks to appeal the district court's order accepting the recommendation of the magistrate judge and 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 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 Robinson has not made the requisite showing. Accordingly, we deny Robinson's motion to stay his case, 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.

<div align="right">DISMISSED</div>