

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6398

EDWARD L. WIGGINS,

Petitioner - Appellant,

v.

GENE JOHNSON, Director,

Respondent - Appellee.

No. 09-6753

EDWARD L. WIGGINS,

Petitioner - Appellant,

v.

GENE JOHNSON, Director,

Respondent - Appellee.

Appeals from the United States District Court for the Eastern
District of Virginia, at Richmond. M. Hannah Lauck, Magistrate
Judge. (3:07-cv-00211-MHL)

Submitted: June 22, 2009

Decided: June 30, 2009

Before MICHAEL, TRAXLER, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Edward L. Wiggins, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Edward L. Wiggins seeks to appeal the magistrate judge's* order denying relief on his 28 U.S.C. § 2254 (2006) petition, and the subsequent order denying a certificate of appealability. The orders are not appealable unless a circuit justice or judge issues a certificate of appealability. See 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. See 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 Wiggins has not made the requisite showing. Accordingly, although we grant Wiggins' motion to amend his informal brief, we deny certificates of appealability, deny his motion for bond, and dismiss the appeals. We dispense with oral argument because the

* The parties consented to proceed before a magistrate judge pursuant to 28 U.S.C. § 636(c) (2006).

facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED