UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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**No. 06-6352**

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UNITED STATES OF AMERICA,

                                        Plaintiff - Appellee,

        versus

ROBERT LEE TRENT, JR.,

                                        Defendant - Appellant.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke.  Jackson L. Kiser, Senior District Judge.  (4:97-cr-70004-jlk; 7:06-cv-00063-jlk)

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Submitted: May 16, 2006                    Decided: May 24, 2006

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Before WILLIAMS, MOTZ, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Robert Lee Trent, Jr., Appellant Pro Se.  Donald Ray Wolthuis, OFFICE OF THE UNITED STATES ATTORNEY, Roanoke, Virginia, for Appellee.

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PER CURIAM:

Robert Lee Trent, Jr., seeks to appeal the district court's order construing his 28 U.S.C. § 1331 (2000) motion as a 28 U.S.C. § 2255 (2000) motion and dismissing it as successive, and a subsequent order denying his Fed. R. Civ. P. 59(e) motion to alter or amend judgment. The orders are not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000). 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. See 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, 683-84 (4th Cir. 2001). We have independently reviewed the record and conclude that Trent has not made the requisite showing. Accordingly, we 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.

DISMISSED