## UNPUBLISHED

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 06-7231

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

OMAR JERMEL DIXON, a/k/a O Dixon, a/k/a Omar Dixon-El, a/k/a Omar Jermel Dixon-El, a/k/a Omar Germal Dixon, a/k/a Omar Jermal Dixon, a/k/a Omar Jermal Dixon, a/k/a Omar Jermal Dixon El,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Chief District Judge. (3:02-cr-00209-JRS; 3:05-cv-00188)

Submitted: December 8, 2006 Decided: December 18, 2006

Before MICHAEL and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Omar Jermel Dixon, Appellant Pro Se. Brian Ronald Hood, Assistant United States Attorney, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Omar Jermel Dixon seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2255 (2000) motion. order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000). certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." § 2253(c)(2) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find that 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 Dixon 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