UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-7911

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RODNEY H. WILLIAMS, a/k/a Simon Andrew Conrad, a/k/a Siothan Andrew Connor, a/k/a Rod Williams, a/k/a Kenneth Gary Williams,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Raymond A. Jackson, District Judge. (2:01-cr-00231-RAJ; 2:04-cv-00129-RAJ)

Submitted: January 17, 2007 Decided: February 16, 2007

Before KING, SHEDD, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Rodney H. Williams, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rodney H. Williams seeks to appeal the district court's order accepting the recommendation of the magistrate judge with respect to one claim and denying relief on his remaining claims filed under 28 U.S.C. § 2255 (2000). The order is 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. 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 Williams has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We also deny Williams' 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