

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6337

MONTY L. BRISCO, a/k/a Monty Brisco-El,

Petitioner - Appellant,

versus

MICHAEL J. GAINES; EDWARD F. REILLY, JR.;
CRANSTON J. MITCHELL; JOHN SIMPSON; UNITED
STATES PAROLE COMMISSION; FRED E. FIGUEROA;
GEORGE SNYDER, Warden,

Respondents - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Terrence W. Boyle,
District Judge. (5:06-hc-02022-BO)

Submitted: June 21, 2007

Decided: June 28, 2007

Before NIEMEYER, WILLIAMS, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Monty L. Brisco, Appellant Pro Se. Steve R. Matheny, OFFICE OF THE
UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Monty L. Brisco, a prisoner in custody under a sentence imposed by a Superior Court of the District of Columbia, seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2241 (2000) petition. 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 his constitutional claims are debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. 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 (4th Cir. 2001).

We have independently reviewed the record and conclude that Brisco has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We dispense with oral argument because the acts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED