

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6444

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

STEVEN E. HESTER, a/k/a Melvin Ball, a/k/a
Melvin Ball, Jr., a/k/a Byron Melvin Falls,
a/k/a Owen Price, a/k/a Bob, a/k/a U.S.A.,

Defendant - Appellant.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Benson Everett Legg, Chief District Judge.
(1:93-cr-00407-MJG-1; 1:01-cv-00249-BEL)

Submitted: October 11, 2007

Decided: October 16, 2007

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

Dismissed by unpublished per curiam opinion.

Steven E. Hester, Appellant Pro Se. Rod J. Rosenstein, United
States Attorney, Bonnie S. Greenberg, OFFICE OF THE UNITED STATES
ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Steven E. Hester seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2255 (2000) motion. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. See 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, 336-38 (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 Hester has not made the requisite showing. Accordingly, we deny a certificate of appealability; deny Hester's motions for appointment of counsel, to place the case in abeyance, and for general relief; 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