

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6534

DARNELL EUGENE KING,

Petitioner - Appellant,

versus

WARDEN, Federal Correctional Institution -
Williamsburg; UNITED STATES PAROLE COMMISSION,

Respondents - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Rock Hill. Cameron McGowan Currie, District
Judge. (0:06-cv-01202-CMC)

Submitted: July 27, 2007

Decided: August 15, 2007

Before MICHAEL, SHEDD, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Darnell Eugene King, Appellant Pro Se. Barbara Murcier Bowens,
OFFICE OF THE UNITED STATES ATTORNEY, Columbia, South Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Darnell Eugene King, a federal prisoner and District of Columbia Code offender, appeals the district court's order adopting the report and recommendation of the magistrate judge to deny relief on his 28 U.S.C. § 2241 (2000) petition and suggesting respondents make a good faith effort to obtain King's records and definitively substantiate or refute his claim that his presentence investigation report is inaccurate. 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 King 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