UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6608

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WILLIE MARION BUTLER,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Anderson.   Henry M. Herlong, Jr., District Judge. (8:07-cv-70000-HMH; 8:04-cr-00940-HMH)

Submitted: November 20, 2007   Decided: November 28, 2007

Before NIEMEYER and GREGORY, Circuit Judges.*

Dismissed by unpublished per curiam opinion.

Willie Marion Butler, Appellant Pro Se. Alan Lance Crick, Assistant United States Attorney, Greenville, South Carolina, for Appellee.

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*The opinion is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

PER CURIAM:

Willie Marion Butler 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. 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 that Butler 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