UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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**No. 07-7207**

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JULIUS KEVIN EDWARDS,

Petitioner - Appellant,

versus

BOYD BENNETT, Director of Prisons; DON WOOD,
Superintendent,

Respondents - Appellees.

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Appeal from the United States District Court for the Middle
District of North Carolina, at Durham.  James A. Beaty, Jr., Chief
District Judge.  (1:06-cv-00823-JAB)

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Submitted:  February 5, 2008        Decided:  February 28, 2008

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Before MICHAEL, KING, and SHEDD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Julius Kevin Edwards, Appellant Pro Se.  Clarence Joe DelForge,
III, NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina,
for Appellees.

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PER CURIAM:

Julius Kevin Edwards seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (2000) petition. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. <u>See</u> 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. <u>See</u> <u>Miller-El v. Cockrell</u>, 537 U.S. 322, 336-38 (2003); <u>Slack v. McDaniel</u>, 529 U.S. 473, 484 (2000); <u>Rose v. Lee</u>, 252 F.3d 676, 683-84 (4th Cir. 2001). We have independently reviewed the record and conclude that Edwards has not made the requisite showing. Accordingly, we deny the motion for a certificate of appealability, deny leave to proceed in forma pauperis, deny the motion for a subpoena duces tecum, 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.

<div align="right"><u>DISMISSED</u></div>