

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-7568

BRIAN WILLIAM SCOTT, a/k/a Brian W. Scott,

Petitioner - Appellant,

v.

E. RICHARD BAZZLE, Warden of Perry Correctional Institute; HENRY
D. MCMASTER, Attorney General for South Carolina,

Respondents - Appellees.

No. 07-7598

BRIAN WILLIAM SCOTT, a/k/a Brian W. Scott,

Petitioner - Appellant,

v.

E. RICHARD BAZZLE, Warden of Perry Correctional Institution;
HENRY D. MCMASTER, Attorney General of South Carolina,

Respondents - Appellees.

Appeals from the United States District Court for the District of
South Carolina, at Anderson. G. Ross Anderson, Jr., District
Judge. (8:05-cv-02690-GRA; 8:06-cv-02730)

Submitted: February 21, 2008

Decided: March 3, 2008

Before NIEMEYER and KING, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Brian William Scott, Appellant Pro Se. Derrick K. McFarland,
Donald John Zelenka, OFFICE OF THE ATTORNEY GENERAL OF SOUTH
CAROLINA, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brian William Scott seeks to appeal the district court's order accepting the recommendation of the magistrate judge, granting summary judgment to Respondents, and denying relief on his 28 U.S.C. § 2254 (2000) petitions. 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 Scott has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeals. 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