UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6829

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

OSCAR ANTONIO GRANDE, a/k/a Pantera,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Gerald Bruce Lee, District Judge. (1:04-cr-00283-GBL-2; 1:06-cv-01022-GBL)

Submitted: July 22, 2008 Decided: July 28, 2008

Before WILKINSON, MOTZ, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Lana Marie Manitta, RICH, ROSENTHAL, MANITTA, DZUBIN & KROEGER, LLP, Alexandria, Virginia, for Appellant. Patricia Tolliver Giles, Ronald Leonard Walutes, Jr., Assistant United States Attorneys, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Oscar Antonio Grande seeks to appeal the district court's orders denying relief on his 28 U.S.C. § 2255 (2000) motion. The orders are 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 Grande has not made the requisite showing. Accordingly, we deny Grande's motion for 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