UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-8423

MUHAMMAD ABDUL RAHIM, a/k/a Gary B. Myers, a/k/a Gary Bernard Myers,

Petitioner - Appellant,

v.

JON OZMINT, Director of South Carolina Department of Corrections,

Respondent – Appellee,

and

JAMES R. MCDONOUGH, Florida Department of Corrections,

Respondent.

Appeal from the United States District Court for the District of South Carolina, at Anderson. Henry F. Floyd, District Judge. (8:07-cv-04112-HFF; 1:07-cv-21565-ASG)

Submitted: March 26, 2009 Decided: April 7, 2009

Before WILKINSON, MOTZ, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Muhammad Abdul Rahim, Appellant Pro Se. William Edgar Salter, III, Assistant Attorney General, Columbia, South Carolina, for Appellee.

PER CURIAM:

Muhammad Abdul Rahim, a state prisoner, seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on his 28 U.S.C. § 2241 (2006) petition. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2006). 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) (2006). 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 Rahim 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