

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 09-6919**

---

ALEXANDER BELL, a/k/a Sulyaman Al Islam Salaam, a/k/a  
Sulyaman Al wa Salaam,

Petitioner - Appellant,

v.

COLUMBIA CARE CENTER; ELDON WYATT; LIEUTENANT MCCLEAVE;  
SERGEANT CUMMINGS; DEPARTMENT OF MENTAL HEALTH,

Respondents - Appellees.

---

Appeal from the United States District Court for the District of  
South Carolina, at Beaufort. G. Ross Anderson, Jr., Senior  
District Judge. (9:08-cv-00906-GRA)

---

Submitted: October 29, 2009                      Decided: November 17, 2009

---

Before TRAXLER, Chief Judge, and GREGORY and SHEDD, Circuit  
Judges.

---

Dismissed by unpublished per curiam opinion.

---

Alexander Bell, Appellant Pro Se. Shelton Webber Haile, William  
Curry McDow, Mason Abram Summers, RICHARDSON, PLOWDEN &  
ROBINSON, PA, Columbia, South Carolina; Albert Richard Pierce,  
Jr., HOWSER, NEWMAN & BESLEY, LLC, Columbia, South Carolina, for  
Appellees.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Alexander Bell seeks to appeal the district court's order accepting the recommendation of the magistrate judge and dismissing his 28 U.S.C. § 2254 (2006) petition without prejudice. 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 confined person 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 Bell 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