

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6135

DAVID VAN WORMER,

Petitioner - Appellant,

v.

HARRIS L. DIGGS, JR., Warden,

Respondent - Appellee.

No. 11-6236

DAVID VAN WORMER,

Petitioner - Appellant,

v.

HARRIS L. DIGGS, JR., Warden,

Respondent - Appellee.

Appeals from the United States District Court for the Eastern
District of Virginia, at Alexandria. Anthony John Trenga,
District Judge. (1:08-cv-01265-AJT-TRJ)

Submitted: May 26, 2011

Decided: June 1, 2011

Before KING, SHEDD, and DIAZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

David Van Wormer, Appellant Pro Se. Thomas Drummond Bagwell,
Assistant Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, David Van Wormer seeks to appeal the district court's orders denying his Fed. R. Civ. P. 60(b) motion for reconsideration of the district court's order denying relief on his 28 U.S.C. § 2254 (2006) petition, denying his motion to compel production of state court records, and denying his motions to withdraw his state court guilty plea and for a new trial. The orders are not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(A) (2006); Reid v. Angelone, 369 F.3d 363, 369 (4th Cir. 2004). 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). When the district court denies relief on the merits, a prisoner satisfies this standard by demonstrating that reasonable jurists would find that the district court's assessment of the constitutional claims is debatable or wrong. Slack v. McDaniel, 529 U.S. 473, 484 (2000); see Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003). When the district court denies relief on procedural grounds, the prisoner must demonstrate both that the dispositive procedural ruling is debatable, and that the petition states a debatable claim of the denial of a constitutional right. Slack, 529 U.S. at 484-85.

In his informal briefs, Van Wormer has failed to address the district court's reasons for denying the various motions. Therefore, Van Wormer has forfeited appellate review of the district court's rulings. See 4th Cir. R. 34(b). Accordingly, we deny a certificate of appealability and dismiss these 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