

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7953

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RODERICK LAMAR WILLIAMS, a/k/a Rox,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Richard L. Voorhees, District Judge. (5:03-cr-00004-RLV-DSC-8; 5:08-cv-00041-RLV)

Submitted: March 28, 2013

Decided: June 10, 2013

Before GREGORY, SHEDD, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Roderick Lamar Williams, Appellant Pro Se. Amy Elizabeth Ray, Assistant United States Attorney, Jill Westmoreland Rose, OFFICE OF THE UNITED STATES ATTORNEY, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roderick Lamar Williams seeks to appeal the district court's orders denying relief on his 28 U.S.C.A. § 2255 (West Supp. 2012) motion and denying his motion to alter or amend that judgment. See Fed. R. Civ. P. 59(e). These orders are not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(B) (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).

We have independently reviewed the record and conclude that Williams has not made the requisite showing. Accordingly, we deny Williams' motion to place this appeal in abeyance, deny his motion to supplement his request for a certificate of appealability, deny his motion for leave to file his motion to supplement, 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 this court and argument would not aid the decisional process.

DISMISSED