

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-6324**

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ALAN STANTON SNEAD,

Petitioner - Appellant,

v.

BOBBY SHEARIN, Warden; DOUGLAS F. GANSLER, Attorney General  
of the State of Maryland,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Greenbelt. William M. Nickerson, Senior District  
Judge. (8:09-cv-02080-WMN)

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Submitted: July 30, 2013

Decided: November 7, 2013

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Before WILKINSON, KING, and THACKER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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James C. Buck, SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP,  
Washington, D.C., for Appellant. Edward John Kelley, OFFICE OF  
THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for  
Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Alan Stanton Snead seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (2006) petition. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. See 28 U.S.C. § 2253(c)(1)(A) (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). 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.

We have independently reviewed the record and conclude that Snead has not made the requisite showing. Accordingly, we deny Snead'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 this court and argument would not aid the decisional process.

DISMISSED