

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-6397

STANLEY LORENZO WILLIAMS,

Petitioner - Appellant,

v.

SIDNEY HARKLEROAD, Superintendent; THEODIS BECK, Secretary
of Corrections,

Respondents - Appellees.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. Thomas D. Schroeder,
District Judge. (1:03-cv-00299-TDS-PTS)

Submitted: July 31, 2013

Decided: August 7, 2013

Before KING, GREGORY, and DAVIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Stanley Lorenzo Williams, Appellant Pro Se. Sandra Wallace-
Smith, NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Stanley Lorenzo Williams seeks to appeal the district court's order denying his motion for leave to file a "Motion for Leave to File a Rule (6) FRCP Motion to Enlarge Time to File Amendments/An Additional Constitutional Claim Pursuant to Graham v. Florida 130 S.C. 2011 176 LEd 2d 825 (2010)." The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 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 Williams has not made the requisite showing. Accordingly, we deny a certificate of appealability, deny leave to proceed in

forma pauperis, 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