

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-6771

CLIFFORD ANTHONY JACKSON,

Petitioner - Appellant,

v.

DAYENA CORCORAN, Warden; DOUGLAS F. GANSLER, Attorney
General of Maryland,

Respondents - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Peter J. Messitte, Senior District
Judge. (8:13-cv-00213-PJM)

Submitted: August 29, 2013

Decided: September 4, 2013

Before DUNCAN, AGEE, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Clifford Anthony Jackson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clifford Anthony Jackson seeks to appeal the district court's paperless order denying his motion for a certificate of appealability with respect to 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 Jackson has not made the requisite showing. We have previously rejected a motion for a certificate of appealability with respect to the denial of Jackson's habeas petition, see Jackson v. Corcoran, No. 13-6312 (Apr. 30, 2013) (unpublished),

and that determination is now the law of the case. See United States v. Aramony, 166 F.3d 655, 661 (4th Cir. 1999) (discussing doctrine).

Accordingly, we deny Jackson's motion for a certificate of appealability and dismiss the appeal. We further deny as moot Jackson's motion to recuse Judges Motz, Davis, and Wynn. 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