

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7839

DAVID DAVON GOLDEN,

Petitioner - Appellant,

v.

WARDEN BOBBY SHEARIN; THE ATTORNEY GENERAL FOR THE STATE OF
MARYLAND,

Respondents - Appellees.

No. 14-6213

DAVID DAVON GOLDEN,

Petitioner - Appellant,

v.

WARDEN BOBBY SHEARIN; THE ATTORNEY GENERAL FOR THE STATE OF
MARYLAND,

Respondents - Appellees.

Appeals from the United States District Court for the District
of Maryland, at Greenbelt. Peter J. Messitte, Senior District
Judge. (8:11-cv-00086-PJM)

Submitted: March 26, 2014

Decided: April 1, 2014

Before KEENAN and WYNN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

David Davon Golden, Appellant Pro Se. Edward John Kelley,
OFFICE OF THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Davon Golden seeks to appeal the district court's orders denying relief on his 28 U.S.C. § 2254 petition and denying his Fed. R. Civ. P. 59(e) motion. The orders are not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(A). 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). 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 Golden has not made the requisite showing. Accordingly, we deny Golden's motion to appoint counsel, deny Golden's motion for a hearing en banc, 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