

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-6494**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LARRY KENNETH SPEED, a/k/a Kenneth Richard Godfrey, a/k/a  
Kenny Speed,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Norfolk. Raymond A. Jackson, District  
Judge. (2:00-cr-00092-RAJ-1; 2:13-cv-00589-RAJ)

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Submitted: July 24, 2014

Decided: July 29, 2014

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Before FLOYD and THACKER, Circuit Judges, and DAVIS, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Larry Kenneth Speed, Appellant Pro Se. Randy Carl Stoker,  
Assistant United States Attorney, Norfolk, Virginia, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Larry Kenneth Speed seeks to appeal the district court's orders denying relief on his 28 U.S.C. § 2255 (2012) motion and 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)(B) (2012). 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) (2012). 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 motion 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 Speed has not made the requisite showing. Accordingly, we 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