

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-6785

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAOUL LAFOND, a/k/a Chris Lafond, a/k/a Jim, a/k/a Jamaican
Jim, a/k/a Derrick Burch, a/k/a Fletcher Busbee, a/k/a
Ronald Elie, a/k/a Ronald Ely,

Defendant - Appellant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. William L. Osteen,
Jr., Chief District Judge. (6:96-cr-00212-WO-1; 1:12-cv-01200-
WO-JEP)

Submitted: August 21, 2014

Decided: August 26, 2014

Before SHEDD, AGEE, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Raoul Lafond, Appellant Pro Se. Robert Michael Hamilton, Angela
Hewlett Miller, Assistant United States Attorneys, Greensboro,
North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Raoul Lafond seeks to appeal from the district court's order adopting the magistrate judge's recommendations and (1) denying Lafond's motions for default judgment and motion to dismiss, and (2) construing his Fed. R. Civ. P. 60(b) motion as a 28 U.S.C. § 2255 (2012) motion and dismissing it as successive. The order is 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 Lafond has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal.

Additionally, we deny Lafond's motions for entry of default and for release on bail pending 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