UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

———————————

No. 14-7505

———————————

UNITED STATES OF AMERICA,

                    Plaintiff – Appellee,

          v.

WILLIAM TURNER SMITH,

                    Defendant - Appellant.

———————————

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh.   James C. Dever III,
Chief District Judge. (5:07-cr-00011-D-1; 5:14-cv-00373-D)

———————————

Submitted: March 24, 2015   Decided: April 15, 2015

———————————

Before KING, SHEDD, and FLOYD, Circuit Judges.

———————————

Dismissed by unpublished per curiam opinion.

———————————

William Turner Smith, Appellant Pro Se. Michael Gordon James,
OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina,
for Appellee.

———————————

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Turner Smith seeks to appeal the district court's order dismissing his 28 U.S.C. § 2255 (2012) motion 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 Smith 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.

<div align="right">DISMISSED</div>