UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6636

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAYMOND EDWARD CHESTNUT, a/k/a Snoop, a/k/a Ray,

Defendant - Appellant.

No. 15-6641

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAYMOND EDWARD CHESTNUT, a/k/a Snoop, a/k/a Ray,

Defendant - Appellant.

Appeals from the United States District Court for the District of South Carolina, at Florence. R. Bryan Harwell, District Judge. (4:05-cr-01044-RBH-1)

Submitted: October 15, 2015 Decided: October 19, 2015

Before WILKINSON, AGEE, and HARRIS, Circuit Judges.

No. 15-6636 affirmed and No. 15-6641 dismissed by unpublished per curiam opinion.

Raymond Edward Chestnut, Appellant Pro Se. Robert Frank Daley, Jr., Assistant United States Attorney, Columbia, South Carolina; Arthur Bradley Parham, Assistant United States Attorney, Florence, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

These consolidated appeals challenge two district court orders denying relief on several postjudgment motions concerning Raymond Edward Chestnut's criminal judgment. We affirm the district court's order in No. 15-6636, and dismiss the appeal in No. 15-6641.

Turning first to No. 15-6636, Chestnut appeals the denial of his Fed. R. Crim. P. 35 motion. We have reviewed the record and find no reversible error. Accordingly, we affirm.

In No. 15-6641, Chestnut seeks to appeal the district court's order dismissing his 28 U.S.C. § 2255 (2012) motion without prejudice as successive and unauthorized. 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 Chestnut has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal in No. 15-6641.

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.

No. 15-6636 AFFIRMED
No. 15-6641 DISMISSED