**UNPUBLISHED**

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

---

**No. 16-6414**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMES ROBERT COBLER,

Defendant - Appellant.

---

Appeal from the United States District Court for the Western District of Virginia, at Harrisonburg. Graham C. Mullen, Senior District Judge. (5:12-cr-00026-GCM-1; 5:15-cv-80856-GCM)

---

Submitted: November 17, 2016 Decided: December 1, 2016

---

Before DUNCAN, KEENAN, and WYNN, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

James Robert Cobler, Appellant Pro Se. Nancy Spodick Healey, Assistant United States Attorney, Charlottesville, Virginia, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Robert Cobler seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2255 (2012) motion, in which he claimed counsel was ineffective, and but for counsel's deficient performance, he would not have pled guilty. 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).

We have independently reviewed the record and conclude that Cobler has not established that his counsel was ineffective. 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