

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-6520

SIDDHANTH SHARMA,

Petitioner - Appellant,

v.

UNKNOWN RESPONDENT; PAT MCCRORY; STATE OF NORTH CAROLINA,

Respondents - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (5:15-hc-02209-BO)

Submitted: December 30, 2016

Decided: January 6, 2017

Before NIEMEYER, KING, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Siddhanth Sharma, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Siddhanth Sharma, a state prisoner, seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2241 (2012) petition challenging his pretrial detention. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(A) (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 petition 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 Sharma's petition is moot because he was convicted after filing his petition. See Jackson v. Clements, 796 F.3d 841, 843 (7th Cir. 2015) (per curiam). Accordingly, we deny a certificate of appealability, deny leave to proceed in forma pauperis, 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