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## **UNPUBLISHED**

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

	No. 16-7471	
DEXTER PALMER,		
Petitioner - Ap	ppellant,	
v.		
CECELIA REYNOLDS, Warden a	at Lee Correctional In	nstitution,
Respondent -	Appellee.	
Appeal from the United States I Anderson. Margaret B. Seymour,		
Submitted: May 18, 2017		Decided: June 5, 2017
Before WILKINSON, TRAXLER,	, and DIAZ, Circuit J	udges.
Dismissed by unpublished per curi	am opinion.	
Dexter Palmer, Appellant Pro Se Alphonso Simon, Jr., Assistant Atte		
Unpublished opinions are not bind	ing precedent in this	circuit.

Doc. 406552153

## PER CURIAM:

Dexter Palmer seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on his 28 U.S.C. § 2254 (2012) petition. 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 Palmer 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.

**DISMISSED**