

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-7685

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LOWELL ANTHONY KNIGHT, a/k/a Tee, a/k/a Ant, a/k/a Wockka Flocka,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Raymond A. Jackson, Senior District Judge. (4:13-cr-00062-RAJ-TEM-1; 4:16-cv-00059-RAJ)

Submitted: March 25, 2022

Decided: July 15, 2022

Before GREGORY, Chief Judge, NIEMEYER, Circuit Judge, and KEENAN, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Frances H. Pratt, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Alexandria, Virginia, for Appellant. Aidan Taft Grano-Mickelsen, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lowell Anthony Knight seeks to appeal the district court’s order denying relief on his 28 U.S.C. § 2255 motion. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. *See* 28 U.S.C. § 2253(c)(1)(B). 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). When the district court denies relief on the merits, a prisoner satisfies this standard by demonstrating that reasonable jurists could find the district court’s assessment of the constitutional claims debatable or wrong. *See Buck v. Davis*, 137 S. Ct. 759, 773-74 (2017). 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. *Gonzalez v. Thaler*, 565 U.S. 134, 140-41 (2012) (citing *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)).

Knight’s challenge to the validity of his 18 U.S.C. § 924(c) conviction is foreclosed by our decision in *United States v. Crawley*, 2 F.4th 257, 263 (4th Cir. 2021) (holding that § 924(c) conviction is sound if it is expressly based on at least one valid predicate offense), *cert. denied*, 142 S. Ct. 819 (2022). 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