

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 17-7071**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

FRANCISCO BARAHONA, a/k/a Poncho,

Defendant - Appellant.

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**No. 17-7099**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

FRANCISCO BARAHONA, a/k/a Poncho,

Defendant - Appellant.

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Appeals from the United States District Court for the District of Maryland, at Greenbelt.  
Roger W. Titus, Senior District Judge. (8:12-cr-00014-RWT-3; 8:15-cv-03658-RWT)

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Submitted: December 19, 2017

Decided: January 3, 2018

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Before WILKINSON, TRAXLER, and HARRIS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Francisco Barahona, Appellant Pro Se. Arun G. Rao, Assistant United States Attorney,  
OFFICE OF THE UNITED STATES ATTORNEY, Greenbelt, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Francisco Barahona seeks to appeal the district court's orders denying relief on his 28 U.S.C. § 2255 (2012) motion and denying him a certificate of appealability. The orders are 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 Barahona has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeals. 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*