

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-7168

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAMIEN HENRY THOMAS, a/k/a Boo Boo,

Defendant - Appellant.

No. 20-6841

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAMIEN HENRY THOMAS, a/k/a Boo Boo,

Defendant - Appellant.

Appeals from the United States District Court for the District of Maryland, at Greenbelt.
Paul W. Grimm, District Judge. (8:14-cr-00519-PWG-1; 8:18-cv-01551-PWG)

Submitted: October 23, 2020

Decided: November 3, 2020

Before AGEE, DIAZ, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Damien Henry Thomas, Appellant Pro Se. Jennifer Regina Sykes, OFFICE OF THE UNITED STATES ATTORNEY, Greenbelt, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Damien Henry Thomas seeks to appeal the district court's orders denying relief on his 28 U.S.C. § 2255 and Fed. R. Civ. P. 59(e) motions. The orders are not appealable unless a circuit justice or judge issues a certificate of appealability. 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)).

We have independently reviewed the record and conclude that Thomas 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