

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 20-6850**

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TREVEE GETHERS,

Petitioner - Appellant,

v.

BRYAN STIRLING, Commissioner, South Carolina Department of Corrections;  
RANDALL WILLIAMS, Warden of Lieber Correctional Institution,

Respondents - Appellees.

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Appeal from the United States District Court for the District of South Carolina, at Aiken.  
Sherri A. Lydon, District Judge. (1:19-cv-01088-SAL)

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Submitted: March 18, 2021

Decided: March 22, 2021

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Before WILKINSON and RICHARDSON, Circuit Judges, and SHEDD, Senior Circuit  
Judge.

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Dismissed by unpublished per curiam opinion.

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Elizabeth Anne Franklin-Best, ELIZABETH FRANKLIN-BEST, P.C., Columbia, South  
Carolina, for Appellant.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Treveen Gethers, a South Carolina inmate, seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on Gethers' counseled 28 U.S.C. § 2254 petition. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. *See* 28 U.S.C. § 2253(c)(1)(A). 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 would 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 petition 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 Gethers 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*