

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 20-7618**

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MARK LYNN JEFFREY,

Petitioner - Appellant,

v.

DONNIE AMES, Superintendent, Mount Olive Correctional Complex,

Respondent - Appellee,

and

DAVID BALLARD, Warden; RALPH TERRY, Acting Warden, Mount Olive  
Correctional Complex,

Respondents.

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Appeal from the United States District Court for the Southern District of West Virginia, at  
Bluefield. David A. Faber, Senior District Judge. (1:17-cv-03021)

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Submitted: June 13, 2022

Decided: June 23, 2022

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Before GREGORY, Chief Judge, THACKER and QUATTLEBAUM, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Mark Lynn Jeffrey, Appellant Pro Se. Lindsay Sara See, OFFICE OF THE ATTORNEY  
GENERAL OF WEST VIRGINIA, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mark Lynn Jeffrey seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on Jeffrey's 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 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 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 Jeffrey 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*