

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 22-6126**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JACOBO ROZO POSSO,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Thomas D. Schroeder, Chief District Judge. (1:18-cr-00120-TDS-1; 1:19-cv-00906-TDS-JLW)

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Submitted: October 31, 2022

Decided: December 8, 2022

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Before AGEE and RUSHING, Circuit Judges, and TRAXLER, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Jeremy Brian Gordon, JEREMY GORDON, PLLC, Mansfield, Texas, for Appellant.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jacobo Rozo Posso seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on Posso's 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. *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).

We have independently reviewed the record and conclude that Posso 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*