

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 22-6608**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WALTER JAMES BROWN, II, a/k/a J Chill,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at  
Wilmington. James C. Dever III, District Judge. (7:08-cr-00150-D-1; 7:21-cv-00179-D)

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Submitted: April 7, 2023

Decided: April 26, 2023

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Before WYNN, DIAZ, and QUATTLEBAUM, Circuit Judges.

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Dismissed in part and affirmed in part by unpublished per curiam opinion.

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Walter James Brown, II, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Walter James Brown, II, seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2255 motion, denying his motion for sanctions, and denying his mandamus petition. The denial of a § 2255 motion is 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*, 580 U.S. 100, 115-17 (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 Brown has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss this part of Brown's appeal.

Turning to the denial of Brown's motion for sanctions and mandamus petition, we discern no reversible error. Thus, we affirm this part of the district court's order. In addition, we deny Brown's motion to appoint counsel and to expedite 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 IN PART,  
AFFIRMED IN PART*