

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-7410

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARION WAYNE JORDAN,

Defendant - Appellant.

No. 07-7728

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID MICHAEL JORDAN,

Defendant - Appellant.

Appeals from the United States District Court for the Western District of Virginia, at Roanoke. Norman K. Moon, District Judge. (4:02-cr-70082-nkm-1; 4:02-cr-70082-nkm-2; 7:06-cv-00115-nkm; 7:06-cv-00381-nkm-mfu)

Submitted: February 28, 2008

Decided: March 5, 2008

Before WILKINSON, NIEMEYER, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Marion Wayne Jordan, David Michael Jordan, Appellants Pro Se.
Anthony Paul Giorno, OFFICE OF THE UNITED STATES ATTORNEY, Roanoke,
Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In appeal No. 07-7410, Marion Wayne Jordan seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2255 (2000) motion. In appeal No. 07-7728, David Michael Jordan filed a motion for a certificate of appealability seeking to appeal the district court's order denying relief on his § 2255 motion. The district court's orders are not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000). 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) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find that any assessment of the constitutional claims by the district court is debatable or wrong and that any dispositive procedural ruling by the district court is likewise debatable. Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683-84 (4th Cir. 2001). We have independently reviewed the records and conclude that neither Marion Wayne Jordan nor David Michael Jordan has made the requisite showing. Accordingly, we deny David Michael Jordan's motion for a certificate of appealability, deny a certificate of appealability in No. 07-7410, and dismiss the appeals. We dispense with oral argument because the facts and legal contentions are adequately

presented in the materials before the court and argument would not aid the decisional process.

DISMISSED