

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

United States v. Raymond Alan Griffin

Griffin · No. 23-6069 · Decided June 27, 2023

SUMMARY

The United States Court of Appeals for the Fourth Circuit dismissed Raymond Alan Griffin’s appeal from the denial of his 28 U.S.C. § 2255 motion. The court denied a certificate of appealability, concluding that Griffin had not made the required substantial showing of the denial of a constitutional right.

OPINION

United States v. Raymond Griffin

PER CURIAM.

USCA4 Appeal: 23-6069 Doc: 11 Filed: 06/27/2023 Pg: 1 of 2

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

No. 23-6069

UNITED STATES OF AMERICA,

Plaintiff - Appellee, v.

RAYMOND ALAN GRIFFIN,

Defendant - Appellant. Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, District Judge. (5:18-cr-00096-FL-1; 5:21-cv-00140-FL) Submitted: June 22, 2023 Decided: June 27, 2023 Before HARRIS and HEYTENS, Circuit Judges, and TRAXLER, Senior Circuit Judge. Dismissed by unpublished per curiam opinion. Raymond Alan Griffin, Appellant Pro Se. Unpublished opinions are not binding precedent in this circuit. USCA4 Appeal: 23-6069 Doc: 11 Filed: 06/27/2023 Pg: 2 of 2 PER CURIAM: Raymond Alan Griffin seeks to appeal the district court’s order denying relief on his 28 U.S.C. § 2255 motion. The order 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 Griffin 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

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