

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-7560

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARVIN RASHAAD CUMMINGS, a/k/a Ray Ray,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (5:12-cr-00353-BO-2; 5:19-cv-00195-BO)

No. 20-6985

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RANDOLPH LEVY HYMAN, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Elizabeth City. Louise W. Flanagan, District Judge. (2:13-cr-00019-FL-1; 2:16-cv-00045-FL)

No. 20-7568

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

THOMAS LAMONT JONES,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, District Judge. (5:09-cr-00093-FL-1; 5:16-cv-00335-FL)

No. 20-7573

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAPHAEL DAVONNE POWELL,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, District Judge. (5:08-cr-00328-FL-1; 5:16-cv-00246-FL)

No. 20-7591

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSHUA HUNT,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. Louise W. Flanagan, District Judge. (7:09-cr-00033-FL-1; 7:16-cv-00235-FL)

No. 20-7598

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARCUS GEROME HYDE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. Louise W. Flanagan, District Judge. (7:11-cr-00038-FL-2; 7:16-cv-00208-FL)

No. 20-7599

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

KENDRICUS MARQUELL WILLIAMS,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, District Judge. (5:08-cr-00174-FL-1; 5:16-cv-00333-FL)

Submitted: July 15, 2021

Decided: July 23, 2021

Before MOTZ and KING, Circuit Judges, and SHEDD, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Eric Joseph Brignac, Jennifer Claire Leisten, Assistant Federal Public Defenders, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Raleigh, North Carolina, for Appellants. John Everett Harris, Michael Gordon James, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marvin Rashaad Cummings, Randolph Levy Hyman, Jr., Thomas Lamont Jones, Raphael Davonne Powell, Joshua Hunt, Marcus Gerome Hyde, and Kendricus Marquell Williams (collectively, “Appellants”) seek to appeal the district courts’ orders denying relief on their 28 U.S.C. § 2255 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). 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 Appellants have not made the requisite showing, as their claims are foreclosed by this court’s decision in *United States v. Mathis*, 932 F.3d 242 (4th Cir. 2019). Accordingly, we deny Appellants’ motion for a certificate of appealability and dismiss the appeals. 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