

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-7860

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALDRIDGE ROBINSON,

Defendant - Appellant.

No. 20-7861

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CHESTER LAMAR WHEELLESS,

Defendant - Appellant.

No. 20-7862

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSHUA FORREST WAGNER,

Defendant - Appellant.

No. 20-7867

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID MICHAEL WESLEY, JR.,

Defendant - Appellant.

No. 20-7871

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL JAVON SPENCER,

Defendant - Appellant.

No. 20-7892

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSEPH OSCAR PRICE,

Defendant - Appellant.

No. 21-6004

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DWIGHT SHERROD TAYLOR,

Defendant - Appellant.

Appeals from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, District Judge. (5:14-cr-00103-FL-1; 5:16-cv-00570-FL; 5:13-cr-00238-FL-1; 5:16-cv-00567-FL; 5:08-cr-00329-FL-4; 5:15-cv-00188-FL; 5:08-cr-00328-FL-2; 5:16-cv-00562-FL; 5:10-cr-00196-FL-4; 5:17-cv-00041-FL; 5:09-cr-00322-FL-2; 5:16-cv-00354-FL; 5:10-cr-00196-FL-1; 5:16-cv-00142-FL)

Submitted: May 25, 2021

Decided: May 27, 2021

Before DIAZ and QUATTLEBAUM, Circuit Judges, and SHEDD, Senior Circuit Judge.

Dismissed in part and affirmed in part by unpublished per curiam opinion.

Eric Joseph Brignac, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Raleigh, North Carolina, for Appellants. David A. Bragdon,

Assistant United States Attorney, Jennifer P. May-Parker, Assistant United States Attorney, 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Unpublished opinions are not binding precedent in this circuit.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:

In these consolidated appeals, Appellants Aldridge Robinson, Chester Lamar Wheelless, Joshua Forrest Wagner, David Michael Wesley, Jr., Michael Javon Spencer, Joseph Oscar Price, and Dwight Sherrod Taylor seek to appeal the district court's orders denying relief on their 28 U.S.C. § 2255 motions challenging their convictions under 18 U.S.C. § 924(c) in light of *United States v. Davis*, 139 S. Ct. 2319 (2019). 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 records and conclude that the Appellants have not made the requisite showing. Accordingly, we deny their motions for a certificate of appealability and dismiss the appeals.

In No. 21-6004, Taylor also appeals the denial of his motions for reduction of sentence under Section 404 of the First Step Act of 2018, Pub. L. No. 115-391, 132 Stat. 5194, 5222, and for compassionate release or release to home confinement, as well as the

denial of his motion for reconsideration. We have reviewed the record and the district court's opinion with respect to these issues and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *United States v. Taylor*, No. 5:10-cr-196-FL-1 (E.D.N.C. Oct. 27, 2020 & Dec. 29, 2020). 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*