

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-7085

ARON J. FREELAND,

Petitioner - Appellant,

v.

WILLIAM K. MARSHALL, Acting Commissioner; MR. RUSSELL MASTON,

Respondents - Appellees.

Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. John Preston Bailey, District Judge. (3:23-cv-00063-JPB; 5:23-cv-00042-JPB-JPM)

Submitted: October 1, 2025

Decided: October 15, 2025

Before HEYTENS and BENJAMIN, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Aron J. Freeland, Appellant Pro Se. Michael Ray Williams, OFFICE OF THE ATTORNEY GENERAL, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Aron J. Freeland seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on Freeland's consolidated 28 U.S.C. § 2254 petitions. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. *See* 28 U.S.C. § 2253(c)(1)(A). 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 petition 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 Freeland has not made the requisite showing. Accordingly, we deny Freeland's motion and amended motion to voluntarily withdraw his appeal without prejudice, or alternatively, to remand to the district court (ECF Nos. 28, 33); deny Freeland's motion for leave to withdraw his opening brief with leave to file a new § 2254 petition in the district court (ECF No. 30); 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