

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6112

LYNETTE MORSE,

Petitioner - Appellant,

v.

RIVERSIDE REGIONAL JAIL,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at
Richmond. Roderick Charles Young, District Judge. (3:24-cv-00810-RCY-MRC)

Submitted: June 17, 2025

Decided: June 23, 2025

Before GREGORY, QUATTLEBAUM, and BERNER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Lynette Morse, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lynette Ebony Morse seeks to appeal the district court's order dismissing without prejudice her 28 U.S.C. § 2254 petition for failure to exhaust state court remedies.* 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 Morse 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

* Because the district court did not provide Morse leave to amend, the judgment is final. *Britt v. DeJoy*, 45 F.4th 790, 796 (4th Cir. 2022) (en banc) (order).