

APPENDIX

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DENIAL OF REHEARING OF THE UNITED STATES COURT OF APPEALS FOR THE
FOURTH CIRCUIT, FILED SEPTEMBER 30, 2025 1a (EXHIBIT A)

UNPUBLISHED PER CURIAM OPINION OF THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT, FILED SEPTEMBER 2, 2025 2a (EXHIBIT B)

FILED: September 30, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-6006
(1:21-cv-01183-CMH-JFA)

CHARLES ALBERT MASSEY

Petitioner - Appellant

v.

CHADWICK DOTSON, Director Virginia Department of Corrections

Respondent - Appellee

O R D E R

The court denies the petition for rehearing.

Entered at the direction of the panel: Judge Gregory, Judge Quattlebaum,
and Judge Heytens.

For the Court

/s/ Nwamaka Anowi, Clerk

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 24-6006

CHARLES ALBERT MASSEY,

Petitioner - Appellant,

v.

CHADWICK DOTSON, Director Virginia Department of Corrections,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (1:21-cv-01183-CMH-JFA)

Submitted: August 28, 2025

Decided: September 2, 2025

Before GREGORY, QUATTLEBAUM, and HEYTENS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Joseph Douglas King, KING CAMPBELL PORETZ & THOMAS, PLLC, Alexandria, Virginia, for Appellant.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles Albert Massey seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 petition. 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 Massey 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