

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 19-30305

United States Court of Appeals
Fifth Circuit

FILED

March 10, 2020

Lyle W. Cayce
Clerk

HASSAN A. ABDUL, IV,

Petitioner-Appellant

v.

ROBERT C. TANNER, WARDEN, B. B. RAYBURN CORRECTIONAL
CENTER,

Respondent-Appellee

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:17-CV-9108

Before SMITH, SOUTHWICK, and COSTA, Circuit Judges.

PER CURIAM:*

Hassan A. Abdul, IV, Louisiana prisoner # 384790, was convicted by a jury of attempted second degree murder and pleaded guilty to possession of a firearm by a felon. *State v. Abdul*, 131 So.3d 365, 366 (La. Ct. App. 2013); *State v. Abdul*, 94 So.3d 801, 807 (La. Ct. App. 2012). The district court dismissed with prejudice Abdul's 28 U.S.C. § 2254 application. Abdul has filed a motion for a certificate of appealability (COA). Abdul's motion for leave to supplement his COA motion is GRANTED.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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In his motion for a COA, Abdul argues that the district court erred in dismissing his claims that the evidence was insufficient to support his conviction, that his initial trial counsel was ineffective for failing to notify him about a change in appointed counsel, that his trial counsel was ineffective for failing to investigate the confiscation of his legal material, and that trial counsel was ineffective for failing to provide him with a copy of the victim's medical records.

To obtain a COA, Abdul must make a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2). When a district court has denied relief on the merits, the movant “must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented are adequate to deserve encouragement to proceed further,” *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003). Because Abdul has not met these standards with respect to the above-listed claims, his COA motion is DENIED.

Abdul challenges the denial of his motion to stay his § 2254 proceedings. “A COA is not required to review the district court’s ruling on a non-merits issue such as a stay.” *Young v. Stephens*, 795 F.3d 484, 494 (5th Cir. 2015). Abdul has failed to show that the district court abused its discretion by denying his motion to stay proceedings. *See Rhines v. Weber*, 544 U.S. 269, 277-78 (2005). The district court’s denial of Abdul’s motion to stay the proceedings is AFFIRMED.