

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6859

ROHAMMAD CHALLAHAD MENZIES,

Plaintiff - Appellant,

versus

EDWARD W. MURRAY, Director; RONALD ANGELONE,
Director; GENE JOHNSON, Deputy Director; RUFUS
FLEMING, Regional Director; LARRY W. HUFFMAN,
Regional Director; ELLIS B. WRIGHT, Warden;
JOHN JABY, Warden; G. L. BASS, Warden; D.
WILLIAMS, Law Library Manager; A. DAVID
ROBINSON, Warden; RANDY MAYTON, Law Library;
JOHN B. TAYLOR, Warden; HEIDI CLARKE,
Operations Officer; KESHA FOWLKES, Law Library
Manager,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Richmond. James R. Spencer, District
Judge. (CA-01-428-3)

Submitted: October 23, 2002

Decided: November 8, 2002

Before NIEMEYER and WILLIAMS, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Rohammad Challahad Menzies, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Rohammad Challahad Menzies appeals the district court's order dismissing his 42 U.S.C. § 1983 (2000) complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2000). The magistrate judge recommended that relief be denied and advised Menzies that failure to file timely objections to this recommendation could waive appellate review of a district court order based upon the recommendation. Despite this warning, Menzies failed to timely object to the magistrate judge's recommendation.

The timely filing of specific objections to a magistrate judge's recommendation is necessary to preserve appellate review of the substance of that recommendation when the parties have been warned that failure to object will waive appellate review. See Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985); see also Thomas v. Arn, 474 U.S. 140 (1985). Menzies has waived appellate review by failing to file timely objections after receiving proper notice. Accordingly, we affirm the judgment of the district court.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED