

UNPUBLISHED
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

LINDA ANN TYLER,
Plaintiff-Appellant,

v.

MICHAEL BEINOR, Doctor; CHARLES
M. CONDON, Attorney General of
South Carolina; JAMES CHRISTOPHER,
Major for Sled; SAMUEL P. RILEY,
Sheriff of Greenwood County; EARL
RICHARD BAZZLE, Warden of Leath
Correctional Institution; BERNICE
WIGGLETON, Major, at Leath
Correctional Institution,
Defendants-Appellees.

No. 03-7120

Appeal from the United States District Court
for the District of South Carolina, at Anderson.
Cameron M. Currie, District Judge.
(CA-02-3330-8-22)

Submitted: November 6, 2003

Decided: November 20, 2003

Before WIDENER, MICHAEL, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Linda Ann Taylor, Appellant Pro Se. Steven Michael Pruitt,
MCDONALD, PATRICK, TINSLEY, BAGGETT & POSTON,

Greenwood, South Carolina; James Miller Davis, Jr., DAVIDSON, MORRISON & LINDEMANN, P.A., Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Linda Ann Tyler appeals the district court's order dismissing her 42 U.S.C. § 1983 (2000) action for failure to state a claim. Tyler's case was referred to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2000). The magistrate judge recommended that the Defendants' motion to dismiss be granted and clearly advised Tyler that failure to file specific and timely objections to his recommendation could waive appellate review of a district court order based upon the recommendation. Despite this warning, Tyler filed only general, conclusory objections to the magistrate judge's recommendation.

Pursuant to § 636(b)(1), a district court is required to conduct a de novo review of those portions of the magistrate judge's report to which a specific objection has been made. The court need not conduct de novo review, however, "when a party makes general and conclusory objections that do not direct the court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982); *see* Fed. R. Civ. P. 72(b). 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 so object will waive appellate review. *Orpiano*, 687 F.3d at 47.

We find that Tyler has waived appellate review by failing to direct the district court to specific errors in the magistrate judge's report and recommendation. *See United States v. Schronce*, 727 F.2d 91, 93-94

(4th Cir. 1994) (failure to file objections waives appellate review). Accordingly, we affirm the district court's order and deny Tyler's motion to vacate the district court's order. 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