

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 03-7556

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KENNETH BERNARD GREEN,

Plaintiff - Appellant,

versus

UNKNOWN SOUTH CAROLINA DEPARTMENT OF  
CORRECTIONS OFFICIALS; RALPH KING ANDERSON,  
III, South Carolina Administrative Law Judge;  
CRYSTAL M. ROOKARD, each in their individual  
capacity,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Beaufort. Henry M. Herlong, Jr., District Judge.  
(CA-03-1343-9-20BG)

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Submitted: December 11, 2003                      Decided: December 23, 2003

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

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Affirmed by unpublished per curiam opinion.

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Kenneth Bernard Green, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kenneth Bernard Green 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 dismissing the case pursuant to the three strikes rule, see 28 U.S.C. § 1915(g) (2000), and advised Green 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, Green failed to 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). Green has waived appellate review by failing to file 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