

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-7048

EUGENE HARRISON; CATHERINE HARRISON,

Plaintiffs - Appellants,

versus

LIEUTENANT COLCLOUGH; DEPUTY KELLY; ROBERT
REYNOLDS, Corporal; ANTHONY DENNIS, Sheriff,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Columbia. Patrick Michael Duffy, District
Judge. (3:05-cv-02090-PMD)

Submitted: August 31, 2006

Decided: September 8, 2006

Before MICHAEL, MOTZ, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Eugene Harrison; Catherine Harrison, Appellants Pro Se. James
Miller Davis, Jr., DAVIDSON, MORRISON & LINDEMANN, PA, Columbia,
South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Eugene Harrison and Catherine Harrison ("the Harrisons") appeal the district court's order denying relief on their 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 the Harrisons 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, the Harrisons 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 of the consequences of noncompliance. Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985); see also Thomas v. Arn, 474 U.S. 140 (1985). The Harrisons have waived appellate review by failing to timely file specific 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