

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-6961**

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SAMMIE LEE SIMPSON,

Plaintiff - Appellant,

versus

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
INDUSTRIES; RICKY HARRISON; ETHEL HORTON,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Anderson. Henry M. Herlong, Jr., District  
Judge. (6:06-cv-00305-HMH)

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Submitted: August 30, 2007

Decided: September 11, 2007

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Before MICHAEL, KING, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Sammie Lee Simpson, Appellant Pro Se. Michael D. Malone, TALLEY,  
MALONE, THOMPSON & GREGORY, Columbia, South Carolina; Lake Eric  
Summers, MALONE & THOMPSON, Columbia, South Carolina; Charles F.  
Thompson, Jr., MALONE, THOMPSON & SUMMERS, LLC, Columbia, South  
Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sammie Lee Simpson appeals the district court's order denying relief on 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 Simpson 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, Simpson 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 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). Simpson has 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