

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-7057**

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GREGORY PALMORE,

Plaintiff - Appellant,

v.

WALMART, White Horse Road, Greenville, South Carolina,

Defendant - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Beaufort. G. Ross Anderson, Jr., Senior District Judge. (9:08-cv-02484-GRA)

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Submitted: September 10, 2009

Decided: September 16, 2009

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Before KING, DUNCAN, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Gregory Palmore, Appellant Pro Se. Kurt M. Rozelsky, SMITH MOORE LEATHERWOOD, LLP, Greenville, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gregory Palmore appeals the district court's order denying relief on his complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2006). The magistrate judge recommended that relief be denied and advised Palmore 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, Palmore failed to object specifically 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). Palmore 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