

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1766

QUINTIN LITTLEJOHN,

Plaintiff - Appellant,

v.

CHARLES COKE, of Kingston, Jamaica,

Defendant - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Spartanburg. R. Bryan Harwell, District Judge. (7:10-cv-01427-RBH)

Submitted: September 28, 2010

Decided: October 1, 2010

Before WILKINSON, SHEDD, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Quintin Littlejohn, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Quintin Littlejohn appeals the district court's order adopting the magistrate judge's recommendation to dismiss Littlejohn's civil action without prejudice.* In a notice attached to the report and recommendation, the magistrate judge advised Littlejohn that failure to file timely objections to the recommendation could waive appellate review of a district court order based upon the 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). Littlejohn 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

* The district court referred this case to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2010).

before the court and argument would not aid the decisional process.

AFFIRMED