

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-6180**

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JOSEPH WIDEMON,

Plaintiff - Appellant,

v.

GUILFORD COUNTY DISTRICT ATTORNEY'S OFFICE, OVER DISTRICT  
#18; GUILFORD COUNTY OFFICE OF THE FEDERAL PUBLIC DEFENDER;  
GUILFORD COUNTY SHERIFF'S DEPARTMENT OF DETENTION BUREAU,

Defendants - Appellees.

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Appeal from the United States District Court for the Middle  
District of North Carolina, at Durham. James A. Beaty, Jr.,  
Chief District Judge. (1:09-cv-00746-JAB-PTS)

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Submitted: May 20, 2010

Decided: May 27, 2010

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Before WILKINSON, NIEMEYER, and DAVIS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Joseph Widemon, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Widemon appeals the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2006) 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 Widemon's complaint be dismissed without prejudice and advised Widemon that failure to file objections to this recommendation could waive appellate review of a district court order based upon the recommendation.

The 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). Widemon 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