

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6785

JOHN ROBERT DEMOS, JR.,

Petitioner - Appellant,

v.

USA; PRESIDENT OF THE UNITED STATES OF AMERICA; WASHINGTON
STATE ATTORNEY GENERAL; DIRECTOR OF IMMIGRATION AND
NATURALIZATION; HOMELAND SECURITY, DEPARTMENT OF; US
SECRETARY FOR THE DEPARTMENT OF THE INTERIOR; US ASSISTANT
SECRETARY FOR PUBLIC LAND MANAGEMENT; COMMISSIONER OF INDIAN
AFFAIRS; WARDEN OF STAFFORD CREEK CORRECTIONAL CENTER;
GOVERNOR OF THE STATE OF WASHINGTON; SUPERINTENDENT OF
STAFFORD CREEK,

Respondents - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Anderson. Henry M. Herlong, Jr., Senior
District Judge. (8:10-cv-00892-HMH)

Submitted: August 17, 2010

Decided: October 28, 2010

Before KING, KEENAN, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

John Robert Demos, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Robert Demos, Jr., seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (2006) petition. 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). The magistrate judge recommended that relief be denied and advised Demos that failure to file timely objections to this 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). Demos has waived appellate review by failing to file specific objections after receiving proper notice. Accordingly, we deny the motion for a certificate of appealability and dismiss the appeal.

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.

DISMISSED