

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-2410

SABRINA D. DAVIS,

Plaintiff - Appellant,

v.

KIA MOTORS OF AMERICA; KIA MOTORS AMERICA, INC.,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Timothy M. Cain, District Judge. (6:10-cv-02931-TMC)

Submitted: February 23, 2012

Decided: February 27, 2012

Before MOTZ, DAVIS, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Sabrina D. Davis, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sabrina D. Davis appeals the district court's order dismissing her complaint without prejudice for lack of subject matter jurisdiction. The district court referred this case to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2011). The magistrate judge recommended dismissing the complaint and advised Davis that failure to file timely, specific 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). Davis has waived appellate review by failing to 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