

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6748

CHARLTON JAVIER DOWLING,

Plaintiff - Appellant,

v.

GREGORY VOIGT; J. AL CANNON, JR., Esq.; CAROLINA CENTER FOR
OCCUPATIONAL HEALTH,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Beaufort. Richard Mark Gergel, District
Judge. (9:11-cv-00634-RMG)

Submitted: August 18, 2011

Decided: August 23, 2011

Before WILKINSON, DAVIS, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Charlton Javier Dowling, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charlton Javier Dowling appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2006) complaint. 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 that relief be denied and advised Dowling that failure to file timely objections to this recommendation that specifically identify the portions of the Report and Recommendation to which objections are made 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). Dowling 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