

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1435

TAWANDA BLAIR, on behalf of JDS,
Plaintiff - Appellant,

v.

COMMISSIONER OF SOCIAL SECURITY ADMINISTRATION,
Defendant - Appellee.

Appeal from the United States District Court for the District of
South Carolina, at Anderson. Richard M. Gergel, District Judge.
(8:11-cv-01476-RMG)

Submitted: June 18, 2012

Decided: June 21, 2012

Before WILKINSON, DAVIS, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Tawanda Blair, Appellant Pro Se. Marshall Prince, II, Assistant
United States Attorney, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tawanda Blair seeks to appeal the district court's order upholding the Commissioner's decision denying Blair's application for supplemental security income filed on behalf of her minor child. 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 the Commissioner's decision be upheld and advised Blair 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). Blair has waived appellate review by failing to file objections after receiving proper warning. Accordingly, we 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. The motion to transfer to Atlanta, Georgia, is denied.

DISMISSED