

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-2179

STEPHEN J. GUIDETTI, a/k/a Stephen John Guidetti, a/k/a
Stephen John, Stephen-John; son of God,

Plaintiff - Appellant,

v.

DONAHUE, aka, dba, Deputy Sheriff Sgt, Employee of
Corporation, aka, dba, Sheriff Department; ALEX R. PAYNE,
aka, dba, Deputy Sheriff, Employee of Corporation, aka, dba,
Sheriff Department; JOHN DOES 1 - 10, address unknown at
this time; JANE DOES 1 - 10, address unknown at this time,

Defendants - Appellees,

and

GREENVILLE COUNTY, aka, dba, Corporation Unknown; SHERIFF
DEPARTMENT, aka, dba, Corporation, aka, dba, Greenville
County of; GREENVILLE COUNTY DETENTION CENTER, aka, dba,
Sheriff Department, aka, dba, Greenville County of, aka,
dba, Corporation; STEVE LOFTIS, aka, dba, Sheriff, aka, dba,
Employee of Corporation, aka, dba, Greenville County
Sheriff; HEATHERLY BROTHERS AUTO PARTS & WRECKER SERVICE,
aka, dba, Corporation; JIM HEATHERLY, aka, dba, Corporation,
aka, dba, Heatherly Owner-President Brothers Auto Parts &
Wrecker Service; JOHN DOE 1, Employee for Heatherly Brothers
Auto Parts & Wrecker Service; W. WALTER WILKS, Greenville
County Attorney; GREENVILLE COUNTY COUNCIL; KNOX WHITE,
Mayor; LILLIAN BROCK FLEMMING, Vice Mayor District 2; JOE
DILL, District 17 Councilmember; JOSEPH BALDWIN, District 18
Councilmember; WILLS MEADOWS, District 19 Councilmember; SID
CATES, District 20 Councilmember; JIM BURNS, District 21
Councilmember; BOB TAYLOR, District 22 Councilmember;
XANTHENE NORRIS, District 23 Councilmember; LIZ SEMAN,
District 24 Councilmember; LOTTIE GIBSON, District 25
Councilmember; DAN RAWLS, District 26 Councilmember; BUTCH
KIRVEN, District 27 Councilmember; FRED PAYNE, District 28

Councilmember; CHARLES R. GARRETT, aka, dba, Judge Charles R Garrett, Chick Springs Summery Court; CHICK SPRINGS SUMMERY COURT, aka, dba, Corporation, Taylors, SC; S. B. KEATOR, aka, dba, Judge S B Keator, Greenville, SC,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Henry M. Herlong, Jr., Senior District Judge. (6:11-cv-01249-HMH)

Submitted: January 22, 2013

Decided: January 24, 2013

Before WILKINSON, NIEMEYER, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Stephen J. Guidetti, Appellant Pro Se. Russell W. Harter, Jr., CHAPMAN, HARTER & GROVES, PA, Greenville, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Stephen John Guidetti 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. 2012). The magistrate judge recommended that relief be denied and advised Guidetti 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). Guidetti has waived appellate review by failing to file specific objections after receiving proper notice. Accordingly, we grant Guidetti leave to proceed in forma pauperis, affirm the judgment of the district court, and dismiss Guidetti's motion to suppress testimony.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials

before this court and argument would not aid the decisional process.

AFFIRMED