

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7803

ARTHUR R. MOSELEY, a/k/a Shahid Majid,

Plaintiff - Appellant,

v.

JUDGE NEWMAN; ASSISTANT SOLICITOR KIMBERY BARR; ASSISTANT
SOLICITOR SECRETARY LINDA WOODS; PUBLIC DEFENDER M. AMANDA
SHULA; VERDELL BARR, Former Private Counsel; SHARON
STAGGERS, Town Clerk,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Rock Hill. G. Ross Anderson, Jr., Senior
District Judge. (0:13-cv-01680-GRA)

Submitted: January 21, 2014

Decided: January 24, 2014

Before MOTZ, KEENAN, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Arthur R. Moseley, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Arthur R. Moseley appeals the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2006) complaint.¹ The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2012). The magistrate judge recommended that relief be denied and advised Moseley 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). Moseley has waived appellate review by failing to file objections after receiving proper notice.² Accordingly, we deny

¹ The district court's dismissal without prejudice is an appealable final order under Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993), as Moseley would not be able to save his action by merely amending his complaint.

² To the extent Moseley challenges on appeal the district court's denial of his motion for an extension of time to file objections, we conclude that the district court did not abuse its discretion in finding no good cause for the extension. See Fed. R. Civ. P. 6(b)(1)(A) (providing standard); Carefirst of (Continued)

the motion for a transcript at the government's expense and 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 this court and argument would not aid the decisional process.

AFFIRMED

Md., Inc. v. Carefirst Pregnancy Ctrs., Inc., 334 F.3d 390, 396 (4th Cir. 2003) (stating standard of review for denial of motion for extension of time).