

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6650

WILLIE JAMES ASBURY, a/k/a Sa'id Abdullah Al'Rashid,

Plaintiff - Appellant,

v.

DAVID TARTARSKY; DON DRISKELL; JOETTE SCARBOROUGH; DENNIS BUSH; SHARONDA SUTTON; GREGORY WASHINGTON; DR. J. TOMARCHIO; NURSE SMITH, a/k/a Takisha Smith; NURSE MONROE, a/k/a Yvonne Munro; LIEUTENANT COPELAND, a/k/a Dock Copeland, IV; SERGEANT CUNNINGHAM, a/k/a Patricia Cunningham,

Defendants - Appellees,

JOHN KINARD; JAMES BARBER, III; JOSEPH MCCROREY; DAVID NORTON,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at Anderson. Richard Mark Gergel, District Judge. (8:13-cv-03364-RMG)

Submitted: September 9, 2015 Decided: September 14, 2015

Before SHEDD, WYNN, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Willie J. Asbury, Appellant Pro Se. William Henry Davidson, II,

Todd Russell Flippin, DAVIDSON & LINDEMANN, PA, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Willie James Asbury appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2012) complaint. 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 Asbury that failure to file 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). By failing to file specific objections to the magistrate judge's recommendation with regard to some of his claims, after receiving proper notice, Asbury has waived appellate review of those claims.

With regard to the claims to which Asbury filed specific objections, we have reviewed the record and discern no reversible error. Accordingly, we affirm the judgment of the district court. Asbury v. Tartarsky, No. 8:13-cv-03364-RMG (D.S.C. Mar. 12, 2015). 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