

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7513

SAMUEL LAMONT WHITNER,

Plaintiff - Appellant,

v.

DIVISION OF APPELLATE DEFENSE, THE; OFFICE OF THE ATTORNEY
GENERAL OF SOUTH CAROLINA,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. Cameron McGowan Currie, Senior
District Judge. (6:15-cv-01779-CMC)

Submitted: February 23, 2016

Decided: February 25, 2016

Before MOTZ and GREGORY, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Samuel Lamont Whitner, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Samuel Lamont Whitner 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 Whitner that failure to file timely specific written 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). Whitner 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 this court and argument would not aid the decisional process.

AFFIRMED