

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-7405**

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ROBERT STEVEN LOGAN,

Plaintiff - Appellant,

versus

EARL BROWN, Unit Manager; CHARLES BROOK,  
Deputy Warden; RICHARD LINDLER, Warden; L. F.  
BESSINGER, Warden; JOYCE BROWN, Unit Manager;  
CHARLES MOORE, Inmates Representative Coun-  
selor; JAMES L. HARVEY, Regional Administra-  
tor; WILLIAM D. CATOE, Deputy Commissioner for  
Operations; PARKER EVATT, Ex-Commissioner;  
JOHN R. MAXEY, Investigator; GENE NOLES,  
Assistant Ombudsman,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Columbia. Henry M. Herlong, Jr., District  
Judge. (CA-97-1696-3)

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Submitted: February 12, 1998

Decided: February 26, 1998

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Before MURNAGHAN and WILLIAMS, Circuit Judges, and PHILLIPS, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Robert Steven Logan, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Appellant appeals the district court's order dismissing his 42 U.S.C. § 1983 (1994) complaint. Appellant's case was referred to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (1994). The magistrate judge recommended that relief be denied and advised Appellant that failure to file timely objections to this recommendation could waive appellate review of a district court order based upon the recommendation. Despite this warning, Appellant failed to object to the magistrate judge's recommendation.

The timely filing of 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 that failure to object will waive appellate review. See Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985). See generally Thomas v. Arn, 474 U.S. 140 (1985). Appellant 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 the court and argument would not aid the decisional process.

AFFIRMED