

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-2427

JESSE R. LANCE,

Plaintiff - Appellant,

versus

JIM M. CHERRY, JR.; ALAN K. CHANDLER;
WILLIAMSBURG FIRST NATIONAL BANK,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. Solomon Blatt, Jr., Senior District Judge. (CA-99-2872-4-08BD)

Submitted: February 24, 2000

Decided: March 1, 2000

Before MOTZ and KING, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Jesse R. Lance, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jesse R. Lance seeks to appeal the district court's order adopting a magistrate judge's report and recommendation to dismiss his complaint seeking review of a state court judgment. Lance'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 Lance that failure to file timely, specific objections to the recommendation could waive appellate review of a district court order based upon the recommendation. Despite this warning, Lance lodged only a general objection to the magistrate judge's 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 that failure to lodge specific objections will waive appellate review. See United States v. One Parcel of Real Property, With Bldgs., Appurtenances, Improvements, and Contents, Known as: 2121 East 30th Street, Tulsa, Oklahoma, 73 F.3d 1057, 1060 (10th Cir. 1996); Howard v. Secretary of Health & Human Servs., 932 F.2d 505, 507-09 (6th Cir. 1991); Lockert v. Faulkner, 843 F.2d 1015, 1019 (7th Cir. 1988). See generally Thomas v. Arn, 474 U.S. 140 (1985); Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985). Lance has waived appellate review of his claims by failing to file specific objections after receiving proper notice.

We accordingly affirm the judgment of the district court. See Lance v. Cherry, No. CA-99-2872-4-08BD (D.S.C. Sept. 23, 1999). 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.

DISMISSED