

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-7142**

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JOSEPH BRYAN,

Plaintiff - Appellant,

versus

MONICA CAPERS, Lieutenant, Unit Supervisor;  
PHILLIP WREN, Chaplain; BRUCE RIVERS,  
Associate Warden,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Anderson. G. Ross Anderson, Jr., District  
Judge. (8:06-02515-GRA)

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Submitted: October 18, 2007

Decided: October 26, 2007

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Before WILKINSON, NIEMEYER, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Joseph Bryan, Appellant Pro Se. Andrew Frederick Lindemann,  
DAVIDSON, MORRISON & LINDEMANN, PA, Columbia, South Carolina, for  
Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Bryan appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2000) complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2000). The magistrate judge recommended that relief be denied and advised Bryan 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, Bryan failed to object 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 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). Bryan has waived appellate review by failing to timely file specific objections after receiving proper notice. Accordingly, although we deny Appellee's motion to dismiss, 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