

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-2045

MELANIE KELLEY,

Plaintiff - Appellant,

v.

EDWARD E. SALEEBY, JR.; DEBBIE J. FREEMAN; HARRIET E. WILMETH; CARL A. SALEEBY; LISA COHEN, a/k/a Lisa A. Kinon; GERALD MALLOY; JAMIE MURDOCK; MARVIN C. LAWSON; CHERYL TURNER HOPKINS; TURNER PADGET GRAHAM & LANEY; JOHNNY JUNIOR MITCHELL,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. R. Bryan Harwell, District Judge. (4:08-cv-00639-RBH)

Submitted: November 20, 2008

Decided: November 25, 2008

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

Affirmed by unpublished per curiam opinion.

Melanie Kelley, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Melanie Kelley appeals the district court's order dismissing her 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 Kelley 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, Kelley 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). Kelley has waived appellate review by failing to timely file specific objections after receiving proper notice. Accordingly, we affirm the judgment of the district court. We also deny Kelley's motion for a transcript at government expense. 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