

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1778

SAKIMA IBAN SALIH EL BEY, a/k/a Francis Marion Savall,
a/k/a Iban Salih El Bey Sakim,

Plaintiff - Appellant,

v.

LIEUTENANT DAVIS; JOE SHAW, Mayor, City of Lancaster;
HARLEAN HOWARD, Chief of Police, Lancaster Police
Department; NIKKI HALEY, Governor, State of SC; OFFICER
FIREBAUGH,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Rock Hill. Solomon Blatt, Jr., Senior
District Judge. (0:11-cv-01026-SB)

Submitted: October 13, 2011 Decided: October 17, 2011

Before SHEDD, AGEE, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Sakima Iban Salih El Bey, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sakima Iban Salih El Bey appeals the district court's order dismissing his 42 U.S.C. § 1983 (2006) complaint without prejudice. The district court referred this case to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2011). The magistrate judge recommended that the complaint be dismissed and advised El Bey that failure to timely file specific 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). El Bey 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