

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 97-6903**

---

GLENDAMAY DEAL,

Plaintiff - Appellant,

versus

E. MONTGOMERY TUCKER, Chairman, Virginia  
Parole Board,

Defendant - Appellee.

---

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Richard L. Williams, Senior District Judge. (CA-96-683-3)

---

Submitted: August 12, 1997

Decided: August 27, 1997

---

Before HALL and WILLIAMS, Circuit Judges, and BUTZNER, Senior Circuit Judge.

---

Affirmed by unpublished per curiam opinion.

---

Glenda May Deal, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Glenda Deal appeals the district court's order dismissing her complaint under 42 U.S.C. § 1983 (1994). Deal'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 Deal 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, Deal 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. Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985). See generally Thomas v. Arn, 474 U.S. 140 (1985). Deal 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