

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7522

BILAL A. AL-HAQQ,

Plaintiff - Appellant,

v.

SGT OLIVER WASHINGTON,

Defendant - Appellee,

and

JOHN PATE, Warden; MAJOR WALTER WORRICK; AW RANDALL
WILLIAMS; LT RICHARD JENKINS; LT TYLER; CPL MARVIN BRYANT;
MS. EDITH WETHERBEE; MRS. VIRGINIA GRUBBS; MS. V. JONES,
official and individual capacity,

Defendants.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. Timothy M. Cain, District Judge.
(2:13-cv-02867-TMC)

Submitted: January 19, 2017

Decided: February 3, 2017

Before GREGORY, Chief Judge, DUNCAN, Circuit Judge, and DAVIS,
Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Bilal A. Al-Haqq, Appellant Pro Se. Mary Bass Lohr, James Andrew Yoho, HOWELL, GIBSON & HUGHES, PA, Beaufort, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Bilal A. Al-Haqq appeals the district court's orders denying relief on his 42 U.S.C. § 1983 (2012) complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2012). In two reports, the magistrate judge recommended that claims against some defendants be dismissed, and that relief be denied on the merits; the magistrate judge advised Al-Haqq in both recommendations that failure to timely file specific objections to the recommendations 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 United States v. Benton, 523 F.3d 424, 428 (4th Cir. 2008). Al-Haqq has waived appellate review by failing to file objections to the magistrate judge's first report and recommendation and failing to file specific objections to the magistrate judge's second report and recommendation 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 this court and argument would not aid the decisional process.

AFFIRMED