

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1927

KATHALEEN B. SMALLS,

Plaintiff - Appellant,

v.

PRESIDENT BARACK HUSSEIN OBAMA; ASHTON B. CARTER, Secretary,
Department of Defense; LORETTA E. LYNCH, Attorney General,
Department of Justice; UNITED STATES ARMY; UNITED STATES
MARINE CORPS; UNITED STATES NAVY; UNITED STATES ATTORNEY FOR
THE DISTRICT OF SOUTH CAROLINA,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Spartanburg. Bruce H. Hendricks, District
Judge. (7:16-cv-01788-BHH)

Submitted: January 31, 2017

Decided: February 2, 2017

Before WILKINSON, KEENAN, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Kathaleen B. Smalls, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kathaleen B. Smalls appeals the district court's order denying relief on her 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). The magistrate judge recommended that relief be denied and advised Smalls that failure to file timely 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). Smalls has waived appellate review by failing to file specific 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 this court and argument would not aid the decisional process.

AFFIRMED