UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-6795

ROBERT HOLLAND KOON, a/k/a Robert Koon, a/k/a Robert H. Koon,

Petitioner - Appellant,

v.

WARDEN MCCORMICK CORRECTIONAL INSTITUTION,

Respondent - Appellee,

and

ALAN WILSON,

Respondent.

Appeal from the United States District Court for the District of South Carolina, at Florence. David C. Norton, District Judge. (4:21-cv-01026-DCN)

Submitted: August 24, 2021   Decided: August 27, 2021

Before NIEMEYER and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Robert Holland Koon, Appellant Pro Se.

PER CURIAM:

Robert Holland Koon seeks to appeal the district court's order dismissing as successive his 28 U.S.C. § 2254 petition. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B). The magistrate judge recommended that the petition be dismissed and advised Koon that failure to file timely and 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. *Martin v. Duffy*, 858 F.3d 239, 245 (4th Cir. 2017); *Wright v. Collins*, 766 F.2d 841, 846-47 (4th Cir. 1985); *see also Thomas v. Arn*, 474 U.S. 140, 154-55 (1985). Koon has waived appellate review by failing to file timely and specific objections to the magistrate judge's recommendation after receiving proper notice. Accordingly, we deny a certificate of appealability and dismiss the appeal.

We deny Koon's motions to appoint counsel and 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.

DISMISSED