

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1919

GEORGIA GRIMES,

Plaintiff - Appellant,

versus

JO ANNE B. BARNHART, Commissioner of Social
Security; ROBERT J. PHARES; RALPH P. DOBBS;
YVETTE RAINEE; CYNTHIA MOORE, Guard; EMPLOYEES
OF HEARING AND APPEALS IN RALEIGH,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Greenville. Malcolm J. Howard,
Senior District Judge. (4:05-cv-00160-H)

Submitted: December 21, 2006

Decided: December 28, 2006

Before NIEMEYER, WILLIAMS, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Georgia Grimes, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Georgia Grimes appeals the district court's order dismissing her civil complaint as frivolous and for failure to state a claim upon which relief may be granted. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2000). The magistrate judge recommended that the complaint be dismissed and advised Grimes 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, Grimes failed to object to the magistrate judge's 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). Grimes has waived appellate review by failing to timely 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 the court and argument would not aid the decisional process.

AFFIRMED