UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-6561

JAMES DONNIE SKELTON,

Petitioner - Appellant,

versus

UNITED STATES OF AMERICA; JOHN L. LAMANNA,

Respondents - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Beaufort. G. Ross Anderson, Jr., District Judge. (9:06-cv-00247-GRA)

Submitted: August 31, 2006 Decided: September 7, 2006

Before MICHAEL, MOTZ, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Donnie Skelton, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

James Donnie Skelton appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his 28 U.S.C. § § 2241 (2000) petition. 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 relief be denied and advised Skelton 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, Skelton 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). Skelton 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