

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-7967

WILLIAM JOHN IRBY,

Plaintiff - Appellant,

versus

ALAN WALLACE, D.E.A. Officer; J. P.
LOWDERMILK, Tactical Officer; W. P. GRAVES,
Vice Narcotics Agent,

Defendants - Appellees,
and

WALTER C. HOLTON, JR., U.S. Attorney,

Defendant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. William L. Osteen, Senior
District Judge. (1:00-cv-00540)

Submitted: June 15, 2007

Decided: June 20, 2007

Before WIDENER, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

William John Irby, Appellant Pro Se. Gill Paul Beck, OFFICE OF THE
UNITED STATES ATTORNEY, Greensboro, North Carolina; Richard
Thompson Wright, Joseph P. Gram, HILL, EVANS, DUNCAN, JORDAN &
DAVIS, PLLC, Greensboro, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William John Irby appeals the district court's order denying relief on his civil action, which alleged that Drug Enforcement Administration Officer Wallace and two state police officers unlawfully seized personal property from Irby's residence and a storage facility subsequent to his arrest on drug charges. 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 Irby 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, Irby failed to file specific objections 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). Although Irby filed a general, two-sentence objection to the magistrate judge's recommendation, we find that he waived appellate review by failing to file any specific objections after receiving proper notice. See Page v. Lee, 337 F.3d 411, 416 n.3 (4th Cir. 2003). 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