UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

───────────────

No. 07-6310

───────────────

UNITED STATES OF AMERICA,

                              Plaintiff - Appellee,

        versus

MICHAEL EDWARD WOODS,

                              Defendant - Appellant.

───────────────

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. William L. Osteen, Senior
District Judge. (1:04-cr-00174-WLO; 1:06-cv-00305-WLO)

───────────────

Submitted: May 31, 2007   Decided: June 8, 2007

───────────────

Before WILKINSON, TRAXLER, and GREGORY, Circuit Judges.

───────────────

Dismissed by unpublished per curiam opinion.

───────────────

Michael Edward Woods, Appellant Pro Se. Sandra Jane Hairston,
Assistant United States Attorney, Angela Hewlett Miller, OFFICE OF
THE UNITED STATES ATTORNEY, Greensboro, North Carolina, for
Appellee.

───────────────

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Edward Woods seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2255 (2000) motion. 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 Woods that the failure to file timely objections to this recommendation could waive appellate review of a district court order based upon the recommendation. Despite this warning, Woods 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). Woods has waived appellate review by failing to timely file specific objections after receiving proper notice. Accordingly, we deny a certificate of appealability and dismiss the appeal.

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.

DISMISSED