

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-7734

DARRELL ANTONIO GUMBS,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA,

Defendant - Appellee,

and

HARLEY G. LAPPIN, Director of the B.O.P. in his individual and official capacity; Y. APONTE, AHSA at FCC Petersburg - Low in both her individual and official capacity; ELIZABETH PANAGUITON, P/A at FCC Petersburg - Low in both her individual and official capacity; K. LAYBOURN, FCC Petersburg-Low in both her individual and official capacity; V. ADAMS, Warden at FCC Petersburg in both her individual and official capacity; KIM WHITE, Regional Director of the Eastern District in both her individual and official capacity; HARRELL WATTS, Administrative Remedy Coordinator of the Bureau of Prisons Central Office (for 6/8/2005 - name unknown) in both his/her individual and official capacities,

Defendants.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca Beach Smith, District Judge. (2:06-cv-00148-RBS-FBS)

Submitted: December 11, 2008

Decided: December 18, 2008

Before NIEMEYER, DUNCAN, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Darrell Antonio Gumbs, Appellant Pro Se. George Maralan Kelley, III, Assistant United States Attorney, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Darrell Antonio Gumbs appeals the district court's final order and judgment accepting the recommendation of the magistrate judge and dismissing his complaint. We have reviewed the record and find no reversible error. While the magistrate judge advised Gumbs that failure to timely file specific written objections to the report would result in waiver of the right to appeal from the district court's judgment, Gumbs failed to file any objections to the magistrate judge's report and recommendation. Therefore, Gumbs waived appellate review of his claims. See United States v. Midgette, 478 F.3d 616, 621-22 (4th Cir.), cert. denied, 127 S. Ct. 3032 (2007). Moreover, Gumbs' claims of attorney error provide no basis for relief. See Sanchez v. United States Postal Serv., 785 F.2d 1236, 1237 (5th Cir. 1986) (holding that there is no right to effective assistance of counsel in civil cases). Accordingly, we affirm. 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