

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6863

JOHN ALAN MILLER,

Plaintiff - Appellant,

v.

ROCK HILL CITY POLICE DEPARTMENT, C-O Rock Hill Law Enforcement Center,

Defendant - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Joseph F. Anderson, Jr., Chief District Judge. (2:09-cv-00737-JFA)

Submitted: September 29, 2009

Decided: October 7, 2009

Before NIEMEYER, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

John Alan Miller, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Alan Miller appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2006) civil rights complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2006). The magistrate judge recommended that relief be denied and advised Miller that failure to file specific objections to this recommendation would waive appellate review of a district court order based upon the recommendation. Although Miller filed a response to the magistrate judge's recommendation, he did not specifically object to the dispositive portions of the 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. United States v. Midgette, 478 F.3d 616, 621-22 (4th Cir. 2007); see also Thomas v. Arn, 474 U.S. 140 (1985). Miller has waived appellate review by failing to file specific objections after receiving proper notice. Accordingly, we affirm the judgment of the district court. We deny all pending motions, including Miller's motions for damages, to impose sanctions, to compel the release of evidence and documents, for

the appointment of counsel, for transcripts at Government expense, and for default judgment.

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