

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1549

DORIAN HADDOCK,

Plaintiff - Appellant,

v.

TRIBUTE PROPERTIES,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at New Bern. Louise W. Flanagan, Chief District Judge. (4:09-cv-00080-FL)

Submitted: July 27, 2010

Decided: August 5, 2010

Before TRAXLER, Chief Judge, and WILKINSON and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Dorian Haddock, Appellant Pro Se. Michael Murchison, MURCHISON, TAYLOR & GIBSON, PLLC, Wilmington, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dorian Haddock appeals the district court's order accepting the recommendation of the magistrate judge and granting defendant's motion to dismiss. The district court referred this case to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1) (West 2006 & Supp. 2010). The magistrate judge recommended that relief be denied and advised Haddock that failure to file timely objections to this recommendation could waive appellate review of a district court order based upon 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. Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985); see also Thomas v. Arn, 474 U.S. 140 (1985). Haddock has waived appellate review by failing to 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