

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6726

BENNY BARFIELD,

Plaintiff - Appellant,

v.

HONORABLE MARK SANFORD, Governor; JOHN MCGILL, Director
SCDMH; CHAD LOMINICK, Director SVPTP; JON OZMIT, Director
SCDC; ROBERT STEVENSON, Warden SCDC,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. Patrick Michael Duffy, Senior
District Judge. (6:09-cv-00850-PDM)

Submitted: August 19, 2010

Decided: August 30, 2010

Before MOTZ, GREGORY, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Benny Barfield, Appellant Pro Se. William Henry Davidson, II,
Joel Steve Hughes, Kenneth Paul Woodington, DAVIDSON, MORRISON &
LINDEMANN, PA, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Benny Barfield appeals the district court's order denying relief on his complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2010). The magistrate judge recommended that relief be denied and advised Barfield 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). Barfield has waived appellate review by failing to file 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