

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-7167

MICHAEL MCKNIGHT, a/k/a Michael Tyrell McKnight,

Plaintiff - Appellant,

v.

JON OZMINT, Director SCDC; GREGORY KNOWLIN, Warden; LINDA
BRADSHAW, Assoc Warden; D. JONES, Sgt,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Anderson. Margaret B. Seymour, District
Judge. (8:09-cv-03015-MBS)

Submitted: October 19, 2010

Decided: October 28, 2010

Before DUNCAN, KEENAN, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Michael McKnight, Appellant Pro Se. John Betts McCutcheon, Jr.,
Lisa Arlene Thomas, THOMPSON & HENRY, P.A., Conway, South
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael McKnight appeals the district court's order accepting the recommendation of the magistrate judge and granting defendants' motion for summary judgment. 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 summary judgment be granted to Defendants and advised McKnight that failure to file timely and specific 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). McKnight 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