

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7619

TERRENCE TERELL BRYAN, a/k/a T. Terell Bryan,

Petitioner - Appellant,

v.

SCDC WARDEN ROBERT STEVENSON, III, And/Or Responsible
Officials,

Respondent - Appellee.

Appeal from the United States District Court for the District of
South Carolina, at Orangeburg. Terry L. Wooten, District Judge.
(5:11-cv-02500-TLW)

Submitted: November 13, 2012

Decided: November 16, 2012

Before NIEMEYER, GREGORY, and DIAZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Terrence Terell Bryan, Appellant Pro Se. Steven Michael Pruitt,
MCDONALD, PATRICK, TINSLEY, BAGGETT & POSTON, Greenwood, South
Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Terrence Terrell Bryan seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (2006) petition. The district court referred this case to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2012). The magistrate judge recommended that relief be denied and advised Bryan 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). Bryan has waived appellate review by failing to file objections after receiving proper notice. Accordingly, we deny Bryan's request for an extension of time, a certificate of appealability and dismiss the appeal.

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.

DISMISSED