

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1411

THOMAS L. SWITZER,

Plaintiff - Appellant,

v.

JOHN THOMAS, Sheriff; GORDON CROSEN, Deputy; MIKE ATKINS, Deputy Captain; BRUCE WRIGHT, Lieutenant Deputy; DONALD DURROUGH, Deputy; JASON ALSHIRE, Deputy; DEPUTY LIEUTENANT KITE, Retired; ANNETTE WEAVER, Jail Nurse; ALL EMPLOYED BY THE PAGE COUNTY SHERIFF'S OFFICE,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of Virginia, at Harrisonburg. Michael F. Urbanski, District Judge. (5:12-cv-00056-MFU-JGW)

Submitted: July 25, 2013

Decided: July 29, 2013

Before GREGORY, DAVIS, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Thomas L. Switzer, Appellant Pro Se. Wade Travis Anderson, John Chadwick Johnson, FRITH, ANDERSON & PEAKE, PC, Roanoke, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Thomas L. Switzer appeals the district court's order accepting the recommendation of the magistrate judge, denying relief on his 42 U.S.C. § 1983 (2006) complaint, and imposing a prefiling injunction. We have reviewed the record and find no reversible error. Accordingly, we affirm substantially for the reasons stated by the district court. Switzer v. Thomas, No. 5:12-cv-00056-MFU-JGW (W.D. Va. Mar. 19, 2013).

In addition, we note that Switzer's informal brief on appeal raises claims that were not raised in his objections to the magistrate judge's report. The district court referred this case to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2013). The magistrate judge recommended that relief be denied and advised Switzer that failure to file timely, 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). Switzer has waived appellate review of several of his claims 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