

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2318

ERICK AGUILAR RUIZ,

Plaintiff - Appellant,

v.

NATIONSTAR MORTGAGE LLC; NATASHA BARONE, Substitute Trustee;
HUTCHENS, SENTER, BRITTON, PA; FLICK MORTGAGE INVESTORS;
LINDSEY R. DAVIS,

Defendants - Appellees,

and

GMAC BANK,

Defendant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. N. Carlton Tilley,
Jr., Senior District Judge. (1:12-cv-00272-NCT-JEP)

Submitted: February 20, 2014

Decided: February 25, 2014

Before DUNCAN, DIAZ, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Erick Aguilar Ruiz, Appellant Pro Se. James Scott Flowers,
HUTCHENS, SENTER, KELLAM & PETIT, PA, Fayetteville, North

Carolina; Grady L. Balentine, Jr., Special Deputy Attorney General, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Erick Aguilar Ruiz appeals the district court's order adopting the magistrate judge's recommendation to dismiss Ruiz's civil action, which was based on the foreclosure sale of his home. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2012). The magistrate judge recommended granting Defendants' motions to dismiss on various legal grounds and advised Ruiz 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). Ruiz 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 this court and argument would not aid the decisional process.

AFFIRMED