

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-1247**

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CHARLES EDWARD MCCLINTON,

Plaintiff - Appellant,

v.

WALDEN UNIVERSITY; GREGORY HICKMAN; JOANN REGAN; WILLIAM  
BARKLEY,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Columbia. Margaret B. Seymour, Senior  
District Judge. (3:13-cv-00942-MBS)

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Submitted: July 24, 2014

Decided: August 14, 2014

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Before FLOYD and THACKER, Circuit Judges, and DAVIS, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Charles Edward McClinton, Appellant Pro Se. Mark Edwin  
Grantham, Atlanta, Georgia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles Edward McClinton appeals the district court's order denying relief without prejudice on his 42 U.S.C. § 1983 (2012) complaint. 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 that relief be denied and advised McClinton that failure to timely file 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). McClinton has waived appellate review by failing to file specific objections after receiving proper notice. Accordingly, we deny Appellees' motion to dismiss the appeal and 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