

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1886

FRANKIE ROCCHETTI,

Plaintiff - Appellant,

v.

LOWE'S HOME CENTERS, INC.; THE GORILLA GLUE COMPANY,

Defendants - Appellees.

Appeal from the United States District Court for the Southern District of West Virginia, at Bluefield. David A. Faber, Senior District Judge. (1:12-cv-07447)

Submitted: November 18, 2014

Decided: November 20, 2014

Before NIEMEYER and MOTZ, Circuit Judges.¹

Affirmed by unpublished per curiam opinion.

Frankie Rocchetti, Appellant Pro Se. Edgar Allen Poe, Jr., PULLIN, FOWLER, FLANAGAN, BROWN & POE, PLLC, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

¹ The opinion is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d) (2006).

PER CURIAM:

Frankie Rocchetti appeals the district court's order accepting the recommendation of the magistrate judge, granting summary judgment in favor of Appellees, and dismissing his complaint. On appeal, we confine our review to the issues raised in the Appellant's brief.² See 4th Cir. R. 34(b). Because Rocchetti's informal brief is conclusory and does not challenge the basis for the district court's denial of his strict products liability claim for lack of causation, Rocchetti has forfeited appellate review of that portion of the court's order.

With regard to the failure to warn claim, the magistrate judge recommended that relief be denied and advised Rocchetti that failure to file timely objections to this recommendation could waive appellate review of a district court order based upon the recommendation. Rocchetti has waived appellate review of the failure to warn claim by failing to file objections after receiving proper notice. See Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985); see also Thomas v. Arn, 474 U.S. 140 (1985).

² To the extent that Rocchetti challenges the district court's rejection of his demand for prosecution of others, we conclude that the court properly denied relief. See Linda R.S. v. Richard D., 410 U.S. 614, 619 (1973).

Accordingly, we affirm the district court's judgment. We grant Rocchetti leave to proceed on appeal in forma pauperis, and 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