

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-1285

ERIC L. CLAY,

Plaintiff - Appellant,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant - Appellee,

and

SOCIAL SECURITY ADMINISTRATION,

Party-in-Interest.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. Loretta C. Biggs,
District Judge. (1:12-cv-01119-LCB-JEP)

Submitted: July 30, 2015

Decided: August 6, 2015

Before DUNCAN, AGEE, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Eric L. Clay, Appellant Pro Se. Lisa G. Smoller, Special
Assistant United States Attorney, Boston, Massachusetts, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Eric L. Clay appeals the district court's order adopting the recommendation of the magistrate judge, granting the Commissioner's motion for judgment on the pleadings, and upholding the decision of the Commissioner to deny Clay's application for disability insurance benefits. 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 Clay 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). Clay has waived appellate review 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 this court and argument would not aid the decisional process.

AFFIRMED