

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-1963

L. RUTHER,

Plaintiff - Appellant,

v.

RANDALL ANDERSON; VICKI ANDERSON; STATE FARM MUTUAL
AUTOMOBILE INSURANCE COMPANY,

Defendants - Appellees.

Appeal from the United States District Court for the Northern
District of West Virginia, at Wheeling. Frederick P. Stamp,
Jr., Senior District Judge. (5:14-cv-00073-FPS-JES)

Submitted: December 15, 2015

Decided: December 17, 2015

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

Dismissed by unpublished per curiam opinion.

L. Ruther, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

L. Ruther seeks to appeal the district court's orders dismissing his civil action and denying Ruther's motion to recuse the magistrate judge. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2012). In both orders, the magistrate judge recommended that relief be denied and advised Ruther that failure to file timely 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). Ruther has waived appellate review by failing to file objections after receiving proper notice. Accordingly, we deny Ruther's motions to proceed in forma pauperis and to stay, and dismiss the appeal.

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.

DISMISSED