

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6675

JAKE HENDRIX,

Plaintiff - Appellant,

v.

THE STATE OF SOUTH CAROLINA; DIRECTOR MICHAEL MOORE,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Florence. J. Michelle Childs, District Judge.
(4:14-cv-00971-JMC)

Submitted: July 23, 2015

Decided: July 28, 2015

Before NIEMEYER and KING, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Jake Hendrix, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jake Hendrix seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (2012) petition. 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 Hendrix 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). Hendrix has waived appellate review by failing to file specific objections after receiving proper notice. Accordingly, we deny Hendrix's motion to appoint counsel, deny a certificate of appealability 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