

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6769

HENRY W. MARTIN, JR.,

Plaintiff - Appellant,

v.

CPT MYECHA MILEY,

Defendant - Appellee,

and

WILLIAM R. BYARS; JOHN R. PATE; ARTHUR A. JORDAN; MCKENNDLY
NEWTON; ROBERT E. WARD; JON OZMINT; DENNIS PATTERSON; DANIEL
MURPHY; DAVID M. TATARSKY; LT J. CARUJO; LT J. CARTER; ROBERT
ORR; LT JAMES RUMP; CAPTAIN E. J. MILLER; DR. THOMAS BYNSE; LT
VARLEASE BLACK; CPL L. JENKINS; M. HUDSON; S. SINGLATON, DHO;
CPL T. SIMPSON; MR. MCQUEEN; P. SMITH; A. HOLLMAN; HELEN
FREEMAN; THOMAS SCOTT; CPT E. JAMES; TANYA A. GEE; V. CLAIRE
ALLEN; JOHN C. FEW; WAYNE C. MCCABE; JILL BEATTIE; JEANNETTE
MACK; FRANCINE BAUCHMAN; PATTY BRITT POSEY; JAMES S. SLIGH, JR.;
DR. ROWLAND; GREGORY S. LINE; CHARLOTTE SMITH; ELLEN GOODWIN;
RUSSELL RUSH; JIM CROSBY; SUSAN BARDEN; VIRGINIA CROCKER; PAM
SMITH; LAKETA DIKA; DEBORAH B. DURDEN,

Defendants.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. Timothy M. Cain, District Judge.
(6:13-cv-03516-TMC)

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Dismissed by unpublished per curiam opinion.

Henry W. Martin, Jr., Appellant Pro Se. Michael D. Freeman, Sr., GRIFFITH, SHARP & LIIPFERT, LLC, Beaufort, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Henry W. Martin, Jr. appeals the district court's order denying relief 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 Martin 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). Martin has waived appellate review by failing to file specific objections after receiving proper notice. Accordingly, we 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