

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7253

DENNIS MAURICE TEMPLE, a/k/a Dennis Temple,

Plaintiff - Appellant,

v.

SHERIFF JAMES SINGLETON, in his individual capacity; CAPTAIN GREG REED, in his individual capacity; SERGEANT SCOTT ARNOLD, in his individual capacity; SERGEANT JERRY MOSS, in his individual capacity; SOLICITOR CHRISSY T. ADAMS, in her individual capacity; ASSISTANT SOLICITOR LINDSEY S. SIMMONS, in her individual capacity; ANDERSON-INDEPENDENT NEWSPAPER, INC.; REPORTER JOHN DOE, a/k/a Don Kausler; DAILY JOURNAL NEWSPAPER, INC.; REPORTER ANDREW MOORE, in his individual capacity; REPORTER NORMAN CANNON, in his individual capacity; GREENVILLE NEWSPAPER, INC.; PUBLISHER STEVEN R. BRANDT, in his individual capacity; EDITOR JOHN PITTMAN, in his individual capacity; FOX CAROLINA NEWS, INC.; REPORTER CODY ALCORN, in his individual capacity; REPORTER DIANA WATSON, in her individual capacity; NEWS 13, INC.; REPORTER DARCEL GRIMES, in his individual capacity; REPORTER TAMMY WATFORD, in her individual capacity; NEWS 7, INC.; REPORTER GORDON DILL, in his individual capacity; REPORTER TOM CRABTREE, in his individual capacity; NEWS 4, INC.; REPORTER CAROL GOLDSMITH, in her individual capacity; REPORTER NIGEL ROBERTSON, in his individual capacity; OCONEE COUNTY,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Anderson. Joseph F. Anderson, Jr., Senior District Judge. (8:14-cv-04832-JFA)

Submitted: November 17, 2015

Decided: November 20, 2015

Before SHEDD, DUNCAN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Dennis M. Temple, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dennis Maurice Temple appeals from the district court's judgment dismissing his 42 U.S.C. § 1983 (2012) civil rights action. 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 the complaint be dismissed and advised Temple that failure to file timely and specific objections to this recommendation could waive appellate review of a district court judgment 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. United States v. Benton, 523 F.3d 424, 428 (4th Cir. 2008) (holding that a "general objection" to a magistrate judge's finding is insufficient to preserve a claim for appellate review); Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) ("We have long held that the Federal Magistrates Act cannot be interpreted to permit a party to ignore his right to file objections with the district court without imperiling his right to raise the objections in the circuit court of appeals." (internal quotation marks, alterations, and ellipsis omitted)); Wright v. Collins, 766 F.2d 841, 846 (4th Cir. 1985) ("[W]e hold that a pro se litigant must

receive fair notification of the consequences of failure to object to a magistrate's report before such a procedural default will result in waiver of the right of appeal."). Temple has waived appellate review of the district court's judgment by filing nonspecific objections to the magistrate judge's recommendation after receiving proper notice. Accordingly, we affirm the district court's judgment.

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