

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 16-7146**

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VICTOR SANCHEZ GARCIA,

Petitioner - Appellant,

v.

B. J. MEEKS,

Respondent - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Orangeburg. Henry M. Herlong, Jr., Senior District Judge. (5:16-cv-02570-HMH)

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Submitted: December 15, 2016

Decided: December 20, 2016

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Before SHEDD, DUNCAN, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Victor Sanchez Garcia, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Victor Sanchez Garcia appeals the district court's order dismissing his 28 U.S.C. § 2241 (2012) petition without prejudice. 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 petition be dismissed without prejudice and advised Garcia that failure to timely file 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). Garcia 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