

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 17-2302

SAMUEL L. SMITH; SARAH A. SMITH,

Plaintiffs - Appellants,

v.

PROGRESSIVE INSURANCE COMPANY; STATE FARM LIFE GROUP;
NATIONWIDE MUTUAL INSURANCE COMPANY; CARL NICHOLAS
WALKER; LAKETIA NATISHA BOYD; LUCILLE B. WALKER,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Aiken.
Henry M. Herlong, Jr., Senior District Judge. (1:17-cv-01767-HMH)

Submitted: March 29, 2018

Decided: April 2, 2018

Before AGEE and DIAZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Samuel L. Smith, Sarah A. Smith, Appellants Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Samuel L. Smith and Sarah A. Smith appeal the district court's order dismissing their civil complaint for lack of subject matter jurisdiction. 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 the Smiths 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). The Smiths have 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