

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 17-6753**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

FRANCISCO ARROLLO-SILVA,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, District Judge. (5:14-cr-00124-FL-1; 5:16-cv-00730-FL)

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Submitted: November 21, 2017

Decided: November 27, 2017

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Before WYNN and THACKER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Francisco Arrollo-Silva, Appellant Pro Se. William Glenn Perry, OFFICE OF THE UNITED STATES ATTORNEY, Stephen Aubrey West, Seth Morgan Wood, Assistant United States Attorneys, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Francisco Arrollo-Silva seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2255 (2012) motion. 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 Arrollo-Silva that the 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). Arrollo-Silva has waived appellate review by failing to file objections after receiving proper notice. Accordingly, we deny a certificate of appealability, deny leave to proceed in forma pauperis, 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*