

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 18-1138**

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NATHAN E. WILSON,

Plaintiff - Appellant,

v.

FAIRFIELD INN SUITES- MARRIOTT, RDU,

Defendant - Appellee.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. N. Carlton Tilley, Jr., Senior District Judge. (1:16-cv-00899-NCT-LPA)

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Submitted: June 21, 2018

Decided: June 25, 2018

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Before DIAZ and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Nathan E. Wilson, Appellant Pro Se. Brodie Davis Erwin, Robert Allen Sar, OGLETREE DEAKINS NASH SMOAK & STEWART, PC, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Nathan E. Wilson appeals the district court's order accepting the recommendation of the magistrate judge and dismissing Wilson's civil complaint for failure to participate in discovery. The magistrate judge advised Wilson that failure to file timely objections to the report and 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. *United States v. Midgette*, 478 F.3d 616, 621-22 (4th Cir. 2007). Wilson has waived appellate review of the district court's order dismissing his complaint by failing to file specific objections after receiving proper notice. Accordingly, we affirm the district court's order\* and 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*

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\* Because Wilson similarly failed to file objections to the magistrate judge's orders denying the motions to appoint counsel, he has waived appellate review of those nondispositive orders. *See Solis v. Malkani*, 638 F.3d 269, 274 (4th Cir. 2011) (failure to file timely objections to nondispositive order results in waiver of any right to further review of that order); Fed. R. Civ. P. 72(a) (same).