

UNPUBLISHED

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

No. 19-7822

JERRY CLIFFT,

Petitioner - Appellant,

v.

COMMANDER C. W. BROBST, Commanding Officer, Naval Brig Charleston,
South Carolina,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Florence.
Donald C. Coggins, Jr., District Judge. (4:18-cv-02823-DCC)

Submitted: May 21, 2020

Decided: May 26, 2020

Before AGEE and QUATTLEBAUM, Circuit Judges, and TRAXLER, Senior Circuit
Judge.

Affirmed by unpublished per curiam opinion.

Jerry Clift, Appellant Pro Se. Marshall Prince, II, Assistant United States Attorney,
OFFICE OF THE UNITED STATES ATTORNEY, Columbia, South Carolina, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jerry Clifft appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on Clifft's 28 U.S.C. § 2241 (2018) petition related to his general court martial conviction. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2018). The magistrate judge recommended that relief be denied and advised Clifft that failure to file timely, specific objections to the recommendation would 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. *Martin v. Duffy*, 858 F.3d 239, 245 (4th Cir. 2017); *Wright v. Collins*, 766 F.2d 841, 846-47 (4th Cir. 1985); *see also Thomas v. Arn*, 474 U.S. 140, 154-55 (1985). Clifft has waived appellate review by failing to file objections to the magistrate judge's recommendation after receiving proper notice.

Accordingly, although we grant leave to proceed in forma pauperis, 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