

**UNPUBLISHED**

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

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**No. 20-6338**

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JESSE WILLIAMS,

Petitioner - Appellant,

v.

WELLS,

Respondent - Appellee.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Catherine C. Eagles, District Judge. (1:19-cv-00244-CCE-JLW)

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Submitted: May 21, 2020

Decided: May 27, 2020

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

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Dismissed by unpublished per curiam opinion.

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Jesse Williams, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jesse Williams seeks to appeal the district court's orders dismissing as untimely his 28 U.S.C. § 2254 (2018) petition and denying his Fed. R. Civ. P. 59(e) motion. With regard to the dismissal order, 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 Williams that failure to file timely, 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. *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). Williams has waived appellate review of the district court's order dismissing his § 2254 petition as untimely by failing to file objections to the magistrate judge's recommendation after receiving proper notice. As to the Rule 59(e) motion, we conclude that Williams has not made "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2018).

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*