

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1223

JANET LOUISE NELUMS; CHRIS NELUMS,

Plaintiffs - Appellants,

v.

JOHN E. WAITES, United States Bankruptcy Court, Chief Judge an individual; JEFFREY M. TZERMAN LAW FIRM P.A., an individual; H. GUYTON MURRELL, Scott and Corley, P.A H., an Individual; MS. LOUISE MYERS JOHNSON, an individual; EDDYE L. LANE, P.A.; ROBERT A. BERNSTEIN, Bernstein and Bernstein, P.A, an individual; TURNER LAW, LLC; ADRIENNE L. TURNER, For Distributing Co of Columbia Turner Law, LLC; SPECIALIZED LOAN SERVICING LLC; DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for Residential Asset Securitization Though Certificates Series 2005; OCWEN LOAN SERVICING, LLC; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, a/k/a MERS,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Columbia. Mary G. Lewis, District Judge. (3:21-cv-02162-MGL)

Submitted: June 23, 2022

Decided: June 27, 2022

Before WYNN and QUATTLEBAUM, Circuit Judges, and FLOYD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Janet Louise Nelums, Chris Nelums, Appellants Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Janet Louise Nelums and Chris Nelums appeal the district court's order dismissing their civil action, denying as moot their motion for a temporary restraining order and permanent injunction, and denying their request to disqualify the magistrate judge.* The district court referred this case to the magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B). The magistrate judge recommended that the action be dismissed and that the motion for a temporary restraining order and permanent injunction be denied as moot and advised Appellants that failure to file timely and 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). Although Appellants received proper notice and filed timely objections to the magistrate judge's recommendation, they have waived appellate review of the dismissal of their action and the denial as moot of their motion for a temporary restraining order and permanent injunction because their objections

* We conclude after review of the record in light of *Affinity Living Grp., LLC v. StarStone Specialty Ins. Co.*, 959 F.3d 634, 639 (4th Cir. 2020), and *Bing v. Brivo Sys., LLC*, 959 F.3d 605, 610-12, 614-15 (4th Cir. 2020), that we have jurisdiction to review this appeal following the dismissal of the action without prejudice.

were not specific to the particularized legal conclusions made by the magistrate judge. *See Martin*, 858 F.3d at 245 (holding that, “to preserve for appeal an issue in a magistrate judge’s report, a party must object to the finding or recommendation on that issue with sufficient specificity so as reasonably to alert the district court of the true ground for the objection” (internal quotation marks omitted)).

We also have reviewed the record and find no reversible error in the district court’s denial of the request to disqualify the magistrate judge. 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