

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-1050

WESLEY EDWARD SMITH, III,

Plaintiff - Appellant,

v.

SOUTH CAROLINA; GOVERNOR HENRY MCMASTER; ATTORNEY GENERAL ALAN WILSON; MAYOR JOSEPH P. RILEY, Retired; CHARLIE CONDON, Solicitor of South Carolina, Retired; COMMISSIONER OF SOCIAL SECURITY; CAROLINA FRANCHISE HOLDINGS, INC. LLC; BURGER KING, INC.; PEPSI BOTTLING GROUP, INC.; SUPERINTENDENT CCSD CHARLESTON COUNTY SCHOOLS; CUMMINS ENGINE; JAMES E. CLYBURN, Congressman, 14th District; WENDELL GILLYARD; MARVIN PNDARVIS, South Carolina Legislator; BANK OF AMERICA; MILITARY MAGNET ACADEMY; PRESIDENT JOE BIDEN; DONALD TRUMP, Former President; BARACK OBAMA, Former President; GEORGE W. BUSH, Former President; WILLIAM CLINTON, Former President; SENATOR LINDSEY GRAHAM; DR. ANTHONY FAUCI, Chief Medical Physician; HILARY CLINTON, Former Secretary of State; ANTONY BLINKEN, Secretary of State Office; SENATOR MITCH MCCONNELL; NANCY PELOSI, Speaker of the House; KEVIN MCCARTHY, Speaker of the House; PIGGLY WIGGLY, INC.; LOW COUNTRY GROCERY FINANCIERS; HONORABLE JOSEPH DAWSON, III; EQUAL EMPLOYMENT OPPORTUNITY COMMISSION; DEPARTMENT OF LABOR, Wage Division Department; DANIEL FRANK BLANCHARD, District Attorney; REMAX PRO REALTY, d/b/a Centex Home and Loans,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Bruce H. Hendricks, District Judge. (2:23-cv-05320-BHH)

Submitted: February 27, 2024

Decided: March 1, 2024

Before WILKINSON, WYNN, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Wesley Edward Smith, III, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Wesley Edward Smith, III, appeals the district court's order dismissing his civil action under 28 U.S.C. § 1915(e)(2)(B). The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B). The magistrate judge recommended that the action be dismissed and advised Smith that failure to file timely, specific objections to this 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). Smith has forfeited appellate review by failing to file timely objections to the magistrate judge's recommendation after receiving proper notice. 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