

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-7232

RONNIE D. REDDEN,

Plaintiff - Appellant,

v.

DAVID BALLARD, former Warden; WEST VIRGINIA DIVISION OF
CORRECTIONS; WEXFORD HEALTH SOURCES, INC.,

Defendants - Appellees.

Appeal from the United States District Court for the Southern District of West Virginia,
at Charleston. Thomas E. Johnston, Chief District Judge. (2:17-cv-01549)

Submitted: January 17, 2019

Decided: January 23, 2019

Before WILKINSON and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit
Judge.

Affirmed by unpublished per curiam opinion.

Ronnie D. Redden, Appellant Pro Se. John P. Fuller, Charles R. Bailey, Jordan K.
Herrick, BAILEY & WYANT, PLLC, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ronnie D. Redden appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2012) complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2012). The magistrate judge recommended that relief be denied and advised Redden 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. *Wright v. Collins*, 766 F.2d 841, 845-46 (4th Cir. 1985); *see also Thomas v. Arn*, 474 U.S. 140 (1985). Redden has waived appellate review by failing to file specific objections to the particularized legal recommendations made by the magistrate judge after receiving proper notice. *See United States v. Midgette*, 478 F.3d 616, 621 (4th Cir. 2007) (holding that a litigant "waives a right to appellate review of particular issues by failing to file timely objections specifically directed to those issues"). 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