

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1757

ESHAWN JESSICA SCIPIO,

Plaintiff - Appellant,

v.

FINKLEA, HENDRICK & BLAKE, LLC; GARY I. FINKLEA, In his individual and official capacity; CHARLIE BLAKE, JR., In his individual and official capacity; CHARLIE SCIPIO, In his individual capacity under binding contractual agreement; ELVIRA CALDWELL, In her individual capacity under binding contractual agreement; BERNICE WHEELER, In her individual capacity under binding contractual agreement,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence.
Joseph Dawson III, District Judge. (4:23-cv-06088-JD)

Submitted: September 18, 2025

Decided: September 22, 2025

Before THACKER and BENJAMIN, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Eshawn Jessica Scipio, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM

Eshawn Jessica Scipio appeals the district court's order dismissing without prejudice her amended 42 U.S.C. §§ 1981, 1982, and 1983 complaint for failure to state a claim upon which relief could be granted.* 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 relief be denied and advised Scipio 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). Scipio has forfeited appellate review by failing to file 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

* The district court's order is a final, appealable order because the court did not grant Scipio further leave to amend her complaint. *Britt v. DeJoy*, 45 F.4th 790, 796 (4th Cir. 2022) (en banc) (order).