

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 22 2020

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JAMES DARREN CRAWFORD,

No. 18-16705

Plaintiff-Appellant,

D.C. No. 3:14-cv-05578-MEJ

v.

MEMORANDUM*

JEFFREY A. BEARD; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of California
Maria-Elena James, Magistrate Judge, Presiding

Submitted July 14, 2020**

Before: CANBY, FRIEDLAND, and R. NELSON, Circuit Judges.

California state prisoner James Darren Crawford appeals pro se from the magistrate judge's summary judgment and dismissal order in his 42 U.S.C. § 1983 action alleging constitutional claims in connection with his incoming and outgoing mail. We have jurisdiction under 28 U.S.C. § 1291. We review de novo whether

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

the magistrate judge validly entered judgment on behalf of the district court. *Allen v. Meyer*, 755 F.3d 866, 867-68 (9th Cir. 2014). We vacate and remand.

Crawford consented to proceed before the magistrate judge. *See* 28 U.S.C. § 636(c). The magistrate judge then dismissed claims against defendants Bell, Gongora, Hall, Love, and Williams before these defendants had been served. *See* 28 U.S.C. § 1915A. Because all parties, including unserved defendants, must consent to proceed before the magistrate judge for jurisdiction to vest, *Williams v. King*, 875 F.3d 500, 503-04 (9th Cir. 2017), we vacate the magistrate judge's May 17, 2016 order and remand for further proceedings.

The parties shall bear their own costs on appeal.

VACATED and REMANDED.