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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TROAS V. BARNETT,

CASE NO. 1:05-cv-01022-BAM PC

Plaintiff,

v.

ORDER DISREGARDING CONSENT OR
DECLINE FORM AND DECLINE OF
JURISDICTION OF MAGISTRATE JUDGE

MARTIN GAMOBA, ANGEL DURAN,
and MANUEL TORRES,

(ECF Nos. 146, 189)

Defendants.

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Plaintiff Troas V. Barnett is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendants Martin Gamboa, Angel Duran and Manuel Torres for the use of excessive force in violation of the Eighth Amendment and is currently set for trial on January 22, 2012.

On August 17, 2005, Plaintiff consented to the jurisdiction of the Magistrate Judge. (ECF No. 9.) On July 26, 2010, Defendants consented to the jurisdiction of the Magistrate Judge. (ECF No. 62.) On July 2, 2012, Plaintiff filed a form declining jurisdiction of the Magistrate Judge. (ECF No. 146.) On November 11, 2012, Plaintiff filed a pleading entitled “Decline of Jurisdiction of United States Magistrate Judge pursuant to 28 U.S.C. 636(c)(2). (ECF No. 189.)

Plaintiff has previously consented to the jurisdiction of the Magistrate Judge and, once a civil case is referred to a Magistrate Judge under 28 U.S.C. § 636(c), the reference can be withdrawn only “for good cause shown on its own motion, or under extraordinary circumstances shown by any party.” Dixon v. Ylst, 990 F.2d 478, 480 (9th Cir. 1993). Plaintiff’s attempts to decline the

1 jurisdiction of the Magistrate Judge, filed July 2, 2012, and November 11, 2012, have no effect and
2 are HEREBY DISREGARDED.

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4 IT IS SO ORDERED.

5 **Dated: November 2, 2012**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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