

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

**LESTER DOZIER JR.**

Case No. 1:08-CV-01286-GSA

Plaintiff(s)/Petitioner(s),

ORDER RE CONSENT  
OR REQUEST FOR REASSIGNMENT

vs.

**JOHN C. MARSHALL**

Defendant(s)/Respondents(s).

This case was randomly assigned to Magistrate Judge Gary S. Austin. Without the written consent of the parties presently appearing pursuant to 28 U.S.C Sec. 636(c), a magistrate judge cannot conduct all proceedings and enter judgment in this case with direct review by the Ninth Circuit Court of Appeals, in the event an appeal is filed. If a party declines to consent and the case is assigned to a district judge, the assigned magistrate judge shall continue to perform all duties as required by Eastern District Local Rule 72-302.

Accordingly, within 30 days, the parties shall complete and return this form to the court.

IT IS SO ORDERED.

Dated: 12/8/08

/s/ - Gary S. Austin  
United States Magistrate Judge

**IMPORTANT:** You must check and sign only one section of this form and return it to the Clerk's Office within 30 days. The complaint/petition will not be reviewed by the court until plaintiff/petitioner has signed and returned this form. Note: This form must be completed and returned regardless of the choice exercised by any other party.

**CONSENT TO JURISDICTION OF UNITED STATES MAGISTRATE JUDGE**

The undersigned hereby voluntarily consents to have a United States Magistrate Judge conduct all further proceedings in this case.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

( ) Plaintiff/Petitioner ( ) Defendant/Respondent ( ) Counsel for \*

**DECLINE OF JURISDICTION OF UNITED STATES MAGISTRATE JUDGE AND  
REQUEST FOR REASSIGNMENT TO UNITED STATES DISTRICT JUDGE**

The undersigned declines to consent to the United States Magistrate Judge assigned to this case and requests random assignment to a United States District Judge.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

( ) Plaintiff/Petitioner ( ) Defendant/Respondent ( ) Counsel for \*

\*If counsel of record, list name of each party responding: \_\_\_\_\_