

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVIE J SMITH,

Case No. 1:08-CV-01978-SMS

Plaintiff(s)/Petitioner(s),

ORDER RE CONSENT
OR REQUEST FOR REASSIGNMENT

vs.

ROBERT AYERS JR., ET AL.,

Defendant(s)/Respondents(s).

This case was randomly assigned to Magistrate Judge Sandra M. Snyder. 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: 12/30/08

/s/ - Sandra M. Snyder
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: _____