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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NORMAN IVORY,

1:09-cv-01272-OWW-GSA-PC

Plaintiff,

ORDER IN RESPONSE TO PLAINTIFF'S
REQUEST FOR CLARIFICATION

v.

(Doc. 54.)

JAMES E. TILTON, et al.,

Defendants.

/

Plaintiff Norman Ivory, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on July 20, 2009. This action now proceeds on the original Complaint against defendant C/O S. Meraz for excessive force in violation of the Eighth Amendment, and defendant Captain M. V. Sexton for retaliation in violation of the First Amendment.¹

On June 20, 2011, Plaintiff filed a declaration in which he requested clarification of mail he received from the Court. (Doc. 54.) Plaintiff asserts that he received an envelope with two pages enclosed. One page contained Plaintiff's name, address, and case number, and the other page was a Notice of Electronic Filing. Plaintiff questions whether the Court intended to enclose a form for him to indicate whether he consents to or declines Magistrate Judge jurisdiction.

¹All other claims and defendants were dismissed from this action by the Court on August 23, 2010 based on Plaintiff's failure to state a claim. (Doc. 30.)

1 The Court's mail received by Plaintiff is a notice that Plaintiff's case number has changed
2 to 1:09-cv-01272-OWW-GSA-PC, following the assignment of District Judge Oliver W. Wanger
3 to the action. The Court did not intend to send Plaintiff a form for consent to Magistrate Judge
4 jurisdiction. Plaintiff previously submitted a consent form on July 31, 2009.

5
6 IT IS SO ORDERED.

7 **Dated: June 22, 2011**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE