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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

BENNIE RAY BROWN,)	1:10-CV-1460 JLT
)	
Plaintiff,)	ORDER DENYING OBJECTIONS
)	
v.)	
)	
OFFICER JESS BEAGLEY, et al.,)	
)	
Defendants.)	

This is a civil action filed by Plaintiff Bennie Ray Brown. On October 3, 2011, Plaintiff consented to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c). On October 10, 2011, Defendants consented to Magistrate Judge jurisdiction. Following the parties consent, on October 18, 2011, the undersigned assigned this action to Magistrate Judge Jennifer L. Thurston for all further proceedings.

Beginning in other documents filed on October 3, 2011 and continuing throughout this action, Plaintiff has, at times, questioned whether Magistrate Judge Thurston has the authority to conduct all proceedings in this action and asked the undersigned to review some of Magistrate Judge Thurston's orders.

Title 28 U.S.C. § 636(c) provides as follows:

(1) Upon the consent of the parties, a full-time United States magistrate judge or a part-time United States magistrate judge who serves as a full-time judicial officer may conduct any or all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case, when specially designated to exercise such jurisdiction by the district court or courts he serves. . . .

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2 (3) Upon entry of judgment in any case referred under paragraph (1) of this
3 subsection, an aggrieved party may appeal directly to the appropriate United
4 States court of appeals from the judgment of the magistrate judge in the same
5 manner as an appeal from any other judgment of a district court. The consent of
6 the parties allows a magistrate judge designated to exercise civil jurisdiction under
7 paragraph (1) of this subsection to direct the entry of a judgment of the district
8 court in accordance with the Federal Rules of Civil Procedure. . . .

6 Local Rule 305(b) provides as follows:

7 **Reference to Magistrate Judge.** After all necessary consents have been
8 obtained, the Clerk shall transmit the file in the action to the assigned Judge, for
9 review, approval by the Judge and Magistrate Judge, and referral.
10 Notwithstanding the consent of all parties, the Judge or Magistrate Judge may
11 reject the referral. Once an action has been referred to a Magistrate Judge, that
12 Magistrate Judge shall have authority to conduct all proceedings referred to the
13 Magistrate Judge, including, if appropriate, authority to enter a final judgment in
14 the action. See Fed. R. Civ. P. 73(a).

12 Finally, Federal Rule 73(a) of the Federal Rules of Civil Procedure provides as follows:

13 **Trial by Consent.** When authorized under 28 U.S.C. § 636(c), a magistrate judge
14 may, if all parties consent, conduct a civil action or proceeding, including a jury or
15 nonjury trial. A record must be made in accordance with 28 U.S.C. § 636(c)(5).

15 In this action, the parties, including Plaintiff, have consented to the jurisdiction of a
16 United States Magistrate Judge. The undersigned and Magistrate Judge Thurston approved the
17 referral, and this action has now been transferred to Magistrate Judge Thurston for all
18 proceedings, including entry of final judgment. Given the procedural posture of this action, it is
19 inappropriate for any party to seek reconsideration of Magistrate Judge Thurston's orders by the
20 undersigned.

21 Accordingly, Plaintiff's objections are DENIED.

23 IT IS SO ORDERED.

24 Dated: June 7, 2012

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26 _____
27 CHIEF UNITED STATES DISTRICT JUDGE
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