

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CARLOS FLORES,

Plaintiff,

v.

WHITE WARDEN,

Defendants.

CASE NO. 1:11-cv-6-MJS (PC)

ORDER REGARDING CONSENT/DECLINE
FORM

CLERK TO SEND PLAINTIFF A THIRD
CONSENT/DECLINE FORM

PLAINTIFF TO CORRECTLY COMPLETE
AND RETURN THE ENCLOSED FORM BY
/ MARCH 1, 2011

Plaintiff Carlos Flores ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On two occasions, the Court has sent Plaintiff a form to complete indicating whether he consents to magistrate judge jurisdiction or would like to exercise his right to have a district judge preside over this action. Both times, Plaintiff has returned the form with both the "consent" and "decline" boxes checked. (ECF Nos. 6 & 8.) By checking both boxes, Plaintiff has rendered the form meaningless. The Court will give Plaintiff one additional opportunity to comply with its order and correctly complete the form.

Accordingly, the Court ORDERS the Clerk's Office to send Plaintiff another copy of

1 the consent/decline form. Plaintiff is ORDERED to check and sign either the box indicating
2 that he wishes to consent to magistrate judge jurisdiction or that he wishes to decline.
3 **Plaintiff may not check and sign both boxes.** Plaintiff should correctly complete and
4 return the form to the Court not later than **March 1, 2011**. Plaintiff is hereby on notice that
5 failure to comply with this Order may result in the dismissal of this action.
6

7
8
9
10 IT IS SO ORDERED.

11
12 Dated: February 14, 2011

1st Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27