

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SUSAN MAE POLK,
Plaintiff,
v.
M. LATTIMORE, et al.,
Defendants.

Case No. 1:12-cv-01156 AWI-BAM-PC
ORDER DENYING PLAINTIFF’S MOTION
TO CORRECT ORDER
(ECF NO. 71)

Plaintiff is a state prisoner proceeding pro se and in forma pauperis pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(1)(B) and Local Rule 302.

On August 17, 2015, an order was entered, reassigning this action to the undersigned due to the retirement of U.S. Magistrate Judge Gary S. Austin. On August 31, 2015, Plaintiff filed a motion to correct the order of reassignment. Plaintiff indicates that since she has declined magistrate judge jurisdiction, this case was incorrectly reassigned to a magistrate judge. Plaintiff is advised that because she declined magistrate judge jurisdiction, this case is assigned to a U.S. District Judge. Regardless of Plaintiff’s decline of magistrate judge jurisdiction, the U.S. District Judge properly referred this case to a U.S. Magistrate Judge pursuant to 28 U.S.C. § 636(1)(B) and Local Rule 302. U.S. District Judge Anthony W. Ishii continues as the assigned judge in this case, and will continue to refer certain matters to the U.S. Magistrate Judge assigned to the case pursuant to Local Rule 302.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s motion to correct the order of August 27, 2015, is denied.
IT IS SO ORDERED.

Dated: September 9, 2015

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE