



1 motion deadline of March 19, 2015. (ECF No. 18.) To date, no dispositive motions have been filed,  
2 and this case is now ready to proceed to trial.

3         The Fresno Division of the Eastern District of California now has the heaviest District Judge  
4 caseload in the entire nation. While the Court will use its best efforts to resolve this case and all other  
5 civil cases in a timely manner, the parties are admonished that not all of the parties' needs and  
6 expectations may be met as expeditiously as desired. As multiple trials are now being set to begin  
7 upon the same date, parties may find their case trailing with little notice before the trial begins when  
8 the case is heard before a United States District Judge. The law requires the Court give any criminal  
9 case priority over civil trials and other matters, and the Court must proceed with criminal trials even if  
10 a civil trial is older or was set earlier. Continuances of civil trials under these circumstances will no  
11 longer be entertained, absent a specific and stated finding of good cause. If multiple trials are  
12 scheduled to begin on the same day, this civil trial will trail day to day or week to week until  
13 completion of any criminal case or older civil case.

14         The parties are advised of the availability of a United States Magistrate Judge to conduct all  
15 proceedings in this action. A United States Magistrate Judge is available to conduct trials, including  
16 entry of final judgment, pursuant to 28 U.S.C. § 28 U.S.C. 636(c), Federal Rule of Civil Procedure 73,  
17 and Local Rule 305. The Court will direct the Clerk of the Court to provide Defendants with the  
18 Court's standard form to consent to or decline Magistrate Judge jurisdiction. Within ten days of this  
19 order's date of service, Defendants shall either consent to or decline Magistrate Judge jurisdiction by  
20 filling out the requisite forms and returning them to the Court. Defendants should take note of the  
21 Court's notice of expedited trial setting procedures set forth in the Court's September 5, 2014, in  
22 making their determination.

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27 <sup>2</sup> Defendant R. Wern has not been served as the summons was returned unexecuted on December 1, 2014. (ECF No. 28.)  
28 In an order issued concurrently herewith, the Court has directed Plaintiff to show cause why Defendant Wern should not be  
dismissed pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

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Based on the foregoing, it is HEREBY ORDERED that:

1. The Clerk of the Court is DIRECTED to send Defendants Stratton and Montano a copy of the consent/decline form and the instructions for consent to Magistrate Judge jurisdiction; and

2. Within **fifteen (15)** days from the date of service of this order, Defendants Stratton and Montano shall complete and return the Consent or Request for Reassignment form.

IT IS SO ORDERED.

Dated: April 24, 2015

  
UNITED STATES MAGISTRATE JUDGE