



1 On May 7, 2014, Defendants Meyst, Henry, Rice, Carr, and Davi filed an answer to the  
2 complaint. (ECF No. 18.) On May 20, 2014, the Court issued the discovery and scheduling order,  
3 setting the dispositive motion deadline of March 30, 2015. (ECF No. 19.) To date, no dispositive  
4 motions have been filed, and this case is now ready to proceed to trial.

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

16 The parties are advised of the availability of a United States Magistrate Judge to conduct all  
17 proceedings in this action. A United States Magistrate Judge is available to conduct trials, including  
18 entry of final judgment, pursuant to 28 U.S.C. § 28 U.S.C. 636(c), Federal Rule of Civil Procedure 73,  
19 and Local Rule 305. The Court will direct the Clerk of the Court to provide Defendants with the  
20 Court's standard form to consent to or decline Magistrate Judge jurisdiction. Within ten days of this  
21 order's date of service, Defendants shall either consent to or decline Magistrate Judge jurisdiction by  
22 filling out the requisite forms and returning them to the Court. Defendants should take note of the  
23 Court's expedited trial setting procedures set forth in Court's September 4, 2014, when making their  
24 determination.

25 Based on the foregoing, it is **HEREBY ORDERED** that:

26 1. The Clerk of the Court is **DIRECTED** to send to Defendants Meyst, Henry, Rice, Carr,  
27 and Davi a copy of the consent/decline form and the instructions for consent to Magistrate Judge  
28 jurisdiction; and

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  
28

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

IT IS SO ORDERED.

Dated: April 24, 2015

  
UNITED STATES MAGISTRATE JUDGE