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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JOHNATHAN HILL,

1:13-cv-00386-LJO-GSA-PC

Plaintiff,

**NOTICE TO PARTIES REGARDING  
IMPACTED TRIAL CALENDAR AND  
AVAILABILITY OF CONSENT TO U.S.  
MAGISTRATE JUDGE JURISDICTION**

v.

C/O J. CLARK and

C/O A. RIVAS,

Defendants.

\_\_\_\_\_ /

This matter is currently set for jury trial before U.S. District Judge Lawrence J. O’Neill on January 5, 2016, and the parties have declined to consent to U.S. Magistrate Judge jurisdiction. The parties are hereby notified of the following regarding Judge O’Neill’s impacted trial calendar and its potential effect on their trial date.

Judges in the Eastern District of California carry the heaviest caseload in the nation, and this Court is unable to devote inordinate time and resources to individual cases and matters. Judge O’Neill must adhere to strict scheduling to best manage his burdensome caseload approaching 2,000 cases.

Multiple cases may be initially set for trial for the same date on Judge O’Neill’s trial calendar, and civil trials set before Judge O’Neill trail until he becomes available and are subject to suspension mid-trial to accommodate criminal matters. Civil trials are no longer reset to a later

1 date if Judge O'Neill is unavailable on the original date set for trial. If a trial trails, it may proceed  
2 with little advance notice, and the parties and counsel may be expected to proceed to trial with less  
3 than 24 hours notice. Moreover, this Court's Fresno Division randomly and without advance  
4 notice reassigns civil actions to U.S. District Judges throughout the nation to serve as visiting  
5 judges. In the absence of Magistrate Judge consent, this action is subject to reassignment to a U.S.  
6 District Judge from outside the Eastern District of California.

7 Case management difficulties, including trial setting and interruption, are avoided if the  
8 parties consent to conduct of further proceedings by a U.S. Magistrate Judge. This Court  
9 recognizes that Plaintiff and Defendants have both filed declines to Magistrate Judge jurisdiction.  
10 However, given the gravity of Judge O'Neill's inability to commit to trials, the parties are  
11 encouraged to reconsider Magistrate Judge consent.<sup>1</sup>

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13 IT IS SO ORDERED.

14 Dated: July 24, 2015

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE

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28 <sup>1</sup> Plaintiff filed forms declining U.S. Magistrate Judge jurisdiction on April 15, 2013 and July 13, 2015. (ECF Nos. 5, 39.) Defendants filed a form declining U.S. Magistrate Judge jurisdiction on July 14, 2015. (ECF No. 40.)