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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARK A. GODWIN,  
Plaintiff,  
vs.  
ADAM CHRISTIANSON, et al.,  
Defendants.

1:13-cv-00950-GSA-PC  
ORDER DENYING MOTION FOR  
RECONSIDERATION BY A DISTRICT  
COURT JUDGE  
(Doc. 15.)

**I. BACKGROUND**

Mark A. Godwin (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this case on June 21, 2013. (Doc. 1.)

On July 5, 2013, Plaintiff consented to Magistrate Judge jurisdiction in this action pursuant to 28 U.S.C. § 636(c), authorizing the Magistrate Judge to conduct any and all proceedings in the case, including trial and entry of final judgment, and no other parties have appeared. (Doc. 5.) Therefore, pursuant to Appendix A(k)(4) of the Local Rules of the Eastern District of California, the undersigned Magistrate Judge is authorized to conduct any and all proceedings in the case until such time as reassignment to a District Judge may be required. Local Rule Appendix A(k)(3).

1 On May 16, 2014, the undersigned issued an order dismissing this case, with prejudice,  
2 for failure to state a claim, and judgment was entered. (Docs. 10, 11.) On June 16, 2014,  
3 Plaintiff filed a motion requesting reconsideration of the order by a District Court Judge. (Doc.  
4 15.)

5 **II. MOTION FOR RECONSIDERATION BY A DISTRICT COURT JUDGE**

6 Plaintiff requests reconsideration by a District Court Judge of the Magistrate Judge's  
7 order dismissing this case. Plaintiff is not entitled to review by a District Court Judge, because  
8 he consented to the jurisdiction of a Magistrate Judge. "If the statutory requirements [of 28  
9 U.S.C. § 636(c)] are met, the final judgment entered by a magistrate is directly appealable to  
10 the court of appeals without intervening review by a district judge." Alaniz v. California  
11 Processors, Inc., 690 F.2d 717 (9th Cir. 1982). Plaintiff was informed on the consent form he  
12 signed on July 2, 2013 that "[i]f the parties do consent, a Magistrate Judge may conduct all  
13 proceedings and enter judgment in the case *subject to direct appellate review by the Ninth*  
14 *Circuit Court of Appeals.*" (Doc. 5.) (emphasis added) Therefore, Plaintiff may not appeal the  
15 Magistrate Judge's order to a District Court Judge, and Plaintiff's motion for reconsideration  
16 shall be denied.

17 **III. CONCLUSION**

18 Based on the foregoing, IT IS HEREBY ORDERED that Plaintiff's motion for  
19 reconsideration by a District Court Judge of the Magistrate Judge's order dismissing this case is  
20 DENIED.

21 IT IS SO ORDERED.

23 Dated: June 18, 2014

24 /s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE