

1 of judges handled 30 years ago. As it stands, the Fresno Division has only one active district judge and
2 one part-time senior district judge who are constitutionally obligated to place priority on criminal
3 matters. Despite this, more than half of the civil cases filed in the District are filed in the Fresno
4 Division. The Sacramento Division has four active district judges and two senior district judges so the
5 Court has been forced to redirect many of the civil cases filed in the Fresno Division to the Sacramento
6 Division. At the onset of this case, the parties were reminded of this judicial crisis and were advised
7 that their case had been randomly selected to be reassigned to the Sacramento Division. (Doc. 6-1)

8 However, now before the Court is the stipulation of counsel in which the parties seek to “opt-
9 out” of the reassignment to the Sacramento Division. (Doc. 9) They assert that the convenience of the
10 parties and witnesses require the return of the case to the Fresno Division. *Id.* at 2. However, in
11 making this argument, counsel ignore that every other case selected for reassignment to the Sacramento
12 Division faces this same situation.

13 Unfortunately, the choice with which the Court is confronted is to simply suspend most if not
14 all of the civil cases filed in the Fresno Division or to provide the parties the option of consenting to
15 magistrate judge jurisdiction—and allow their case to proceed in the convenient forum—or, to decline
16 this option and allow the case to proceed in Sacramento. The Court understands the frustration of
17 counsel and hardship on the parties but unless and until this Court is afforded additional judicial
18 resources, it simply cannot continue to hear the continued onslaught of civil cases. The parties and
19 counsel are encouraged to contact their senators and congress members to press for change but change
20 occurs, the Court must employ all reasonable tactics to attempt to advance the cases through the
21 system.

22 Therefore, the stipulation for a change of venue/transfer to the Fresno Division (Doc. 9) is
23 **DENIED.**

24
25 IT IS SO ORDERED.

26 Dated: September 15, 2014

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE