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7	UNITED STATES DISTRICT COURT	
8	EASTERN DISTRICT OF CALIFORNIA	
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10	JOHN GREEN,	Case No. 1:14-cv-01648-LJO-SMS HC
11	Petitioner,	
12	v.	ORDER ADDRESSING PETITIONER'S REQUEST FOR CLARIFICATION
13	DANIEL PARAMO, Warden,	
14	Respondent.	Doc. 15
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17	Petitioner, a state prisoner proceeding pro se, filed a petition for writ of habeas corpus	
18	pursuant to 28 U.S.C. § 2254 in this Court on October 22, 2014. On December 3, 2014, Petitioner	
19	filed the Clerk's form declining to consent to jurisdiction of a magistrate judge. Thereafter,	
20	Petitioner received the Clerk's notice that the case had been assigned to the Honorable Lawrence J.	
21	O'Neill, U.S. District Judge, and the Honorable Sandra M. Snyder, U.S Magistrate Judge.	
22 23	Petitioner requests clarification regarding the assignment of a magistrate judge following his	
24	election not to consent to magistrate judge jurisdiction.	
25	In the District Court for the Eastern District of California, magistrate judges perform certain	
26	duties outlined in 28 U.S.C. § 636(a) and Local Rule 302. Among other things, magistrate judges	
27	handle all pretrial matters, including scheduling, settlement, pretrial motions, and the screening of	
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complaints and petitions brought in propria persona. A magistrate judge may not preside over the trial of a case or issue a dispositive order in a case without the consent of both parties to the case. 28 U.S.C. § 636(c).

Because Petitioner did not consent to magistrate judge jurisdiction, the Clerk of Court assigned the case to District Judge O'Neill for final disposition. Petitioner's decision not to consent to magistrate judge jurisdiction does not change the magistrate judge's other responsibilities, however. Pursuant to 28 U.S.C. § 636(c) and Local Rule 302, Judge Snyder will continue to perform her assigned pretrial duties but will not make the final or dispositive decision regarding the petition. In a habeas corpus petition, such as the one brought by Petitioner, the magistrate judge will also conduct an initial review of petition, the answer, and Petitioner's response to the answer, if any, and provide the district judge with findings and recommendations. The district judge must then review the record as a whole, all applicable law, and any objections to the findings and recommendations that may have been filed by the parties, before issuing a final order granting or denying the petition.

IT IS SO ORDERED.

Dated: **December 10, 2014**

/s/ Sandra M. Snyder UNITED STATES MAGISTRATE JUDGE