

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERTO SANTIAGO RAMIREZ,
Petitioner.

V.

SPEARMAN, Warden,

Respondent.

Case No. 1:14-cv-01798-SKO-HC

ORDER DIRECTING RESPONDENT TO COMPLETE, SIGN, AND RETURN THE CONSENT OR DECLINE FORM NO LATER THAN TWENTY-ONE (21) DAYS AFTER SERVICE

ORDER DIRECTING THE CLERK TO SEND TO RESPONDENT WITH THIS ORDER AN ORDER RE: CONSENT OR REQUEST FOR REASSIGNMENT

ORDER SUSPENDING RESPONDENT'S
OBLIGATION TO RESPOND TO THE
PETITION PENDING FURTHER ORDER OF
THE COURT (DOCS. 9 & 1)

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 and 303. Pending before the Court are 1) the petition, which was filed on May 8, 2014, and transferred to this Court by the United States District Court for the Northern District of California on November 17, 2014; and 2) the order of the Northern District,

1 dated August 15, 2014, directing Respondent to file within sixty
2 days an answer or dispositive motion in response to the petition
3 (doc. 9). Respondent instead filed a motion to transfer the
4 petition, which resulted in the transfer of the petition to this
5 Court.

I. Order regarding Consent or Decline Form

7 Although Respondent has been ordered to respond to the
8 petition and has filed a motion in this proceeding, the docket
9 does not reflect Respondent's choice regarding consent to
10 Magistrate Judge jurisdiction.

11 Accordingly, it is hereby ORDERED that no later than
12 twenty-one (21) days after the date of service of this order,
13 Respondent shall COMPLETE, SIGN, and RETURN the consent or
14 decline portion of the Court's order re: consent or request for
15 reassignment. The Clerk is DIRECTED to send to Respondent with
16 this order an order re: consent or request for reassignment.

III. Order Suspending Respondent's Obligation to Respond to the Petition

19 This Court has not had an opportunity to screen the
20 petition. After the parties have complied with the pending
21 orders regarding consenting or declining to Magistrate Judge
22 jurisdiction, the Court will proceed to screen the petition.

23 Accordingly, it is hereby ORDERED that Respondent's
24 obligation to respond to the petition is SUSPENDED pending
25 further order of the Court.

26 | IT IS SO ORDERED.

Dated: **November 20, 2014**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE