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

CALVIN JACKSON,  
  
                    Plaintiff,  
  
          v.  
  
BEARD, et al.,  
  
                    Defendants.

Case No. 1:14-cv-02043-LJO-DLB PC  
  
**ORDER VACATING REASSIGNMENT  
TO DISTRICT COURT JUDGE**

Plaintiff Calvin Jackson (“Plaintiff”) is a California state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. The First Amended Complaint is awaiting screening.

Plaintiff consented to Magistrate Judge jurisdiction on November 24, 2014. However, Plaintiff filed a decline on January 5, 2015, and the action was improperly reassigned to a District Court Judge.

Once a civil case is referred to a magistrate judge under section 636(c), the reference can be withdrawn by the court only “for good cause shown on its own motion, or under extraordinary circumstances shown by any party.” 28 U.S.C. § 636(c)(6); Fed.R.Civ.P. 73(b); Dixon v. Ylst, 990 F.2d 478, 480 (9th Cir. 1993). There is no absolute right, in a civil case, to withdraw consent to trial and other proceedings before a magistrate judge. Dixon, 990 F.2d at 480.

Here, Plaintiff’s subsequent declines did not demonstrate “extraordinary circumstances,” and therefore, there is no good cause to vacate the reference. See 28 U.S.C. § 636(c)(6).

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