

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOY LEON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 1:16-cv-00361-SAB

ORDER RE CONSENT OR DECLINE
MAGISTRATE JUDGE JURISDICTION

FIVE DAY DEADLINE

On March 16, 2016, Plaintiff Joy Leon (“Plaintiff”), proceeding pro se and in forma pauperis, filed this action seeking judicial review of a final decision of the Commissioner of Social Security (“Commissioner” or “Defendant”) denying her application for disability benefits pursuant to the Social Security Act. On March 28, 2017, initial case documents issued, including the order re consent. Plaintiff did not return the order re consent. On May 5, 2016, the Commissioner consented to the jurisdiction of the magistrate judge. On September 8, 2016, a notice of appearance was filed, and Plaintiff is now represented by counsel in this action.

Although the Commissioner has consented to the jurisdiction of the magistrate judge, Plaintiff did not return the form indicating whether or not she is willing to consent to the jurisdiction of the magistrate judge. As Plaintiff is now represented by counsel in this action, the Court shall direct the Clerk of the Court to send a consent or decline form. Plaintiff is advised

1 that she is free to withhold consent without adverse substantive consequences

2 Accordingly, IT IS HEREBY ORDERED that:

- 3 1. The Clerk of the Court is direct to provide Plaintiff with a Consent to Assignment
4 or Request for Reassignment form;
- 5 2. Within five (5) days from the date of service of this order, Plaintiff may complete
6 and return the Consent to Assignment or Request for Reassignment form;
- 7 3. If Plaintiff does not return the Consent to Assignment or Request for
8 Reassignment form in compliance with this order, this action will be assigned to a
9 district judge for issuance of findings and recommendations; and
- 10 4. Plaintiff is advised that she is free to withhold consent or decline magistrate
11 jurisdiction without adverse substantive consequences.

12 IT IS SO ORDERED.

13 Dated: April 18, 2017

14 
15 _____
16 UNITED STATES MAGISTRATE JUDGE