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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT MITCHELL, et al,

 Plaintiffs,

 v.

TOM FELKER, et al.,

 Defendants.

No. 2:08-CV-01196-TLN-EFB

ORDER

This matter is before the Court pursuant to Robert Mitchell’s (“Plaintiff”) Request under Local Rule 302(d) to have Plaintiff’s Motion for Class Certification and Motion for Preliminary Injunction Heard by the District Court (ECF No. 182). Defendants have responded to Plaintiff’s motion and oppose granting Plaintiff’s request. (ECF No. 186.) The Court has carefully considered the arguments presented by the parties. For the reasons stated below, the Court hereby GRANTS Plaintiff’s motion. Additionally, in the interest of judicial economy, this Court will exercise its power to retain all matters involving this case pursuant to Local Rule 302(d). See E.D. CAL. L. R. 302(d).

Plaintiff is a state prisoner and has brought a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff is challenging the state-wide practice in California prisons of imposing race-based inmate lockdowns. Plaintiff alleges that under the Defendants’ official lockdown policy, California prisons regularly impose lockdowns that segregate and punish entire racial

1 groups for the actions of just some of their members.

2 Pursuant to Eastern District of California Local Rule 302(c)(17), this case is
3 before Magistrate Judge Brennan. *See* 28 U.S.C. § 636(b)(1). Plaintiff has moved for class
4 certification (ECF No. 155) and a preliminary injunction (ECF No. 156) and further requested
5 that these motions be decided by the District Court under Local Rule 302(d) (ECF No. 186).
6 Defendants subsequently moved for summary judgment (ECF No. 253).

7 Pursuant to 28 U.S.C. § 636(b)(1)(A) a judge may not designate a magistrate judge
8 to hear and determine

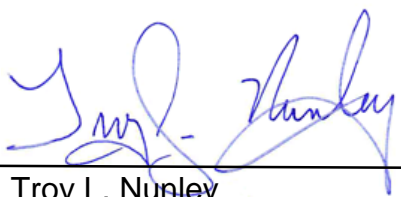
9 a motion for injunctive relief, for judgment on the pleadings, for
10 summary judgment, to dismiss or quash an indictment or
11 information made by the defendant, to suppress evidence in a
12 criminal case, to dismiss or to permit maintenance of a class action,
to dismiss for failure to state a claim upon which relief can be
granted, and to involuntarily dismiss an action.

13 Although § 636(b)(1)(B) does allow a judge to “designate a magistrate judge to submit to a judge
14 of the court proposed findings of fact and recommendations for the disposition, by a judge of the
15 court, of any motion excepted in subparagraph (A),” the district court must conduct a de novo
16 review of any objections to the magistrate judge’s proposed findings or recommendations. *See* 28
17 U.S.C. § 636(b)(1)(C).

18 The litigation history of this case is riddled with objections to the magistrate
19 judge’s findings as well as numerous motions for reconsideration. Therefore, because Plaintiff’s
20 class certification and preliminary injunction motion, as well as Defendants’ summary judgment
21 motion, are likely to require de novo review, this Court finds that judicial economy would be best
22 served by this Court retaining all future motions associated with this case. As such, this Court
23 hereby **GRANTS** Plaintiff’s motion (ECF No. 182) and thus retains all matters associated with
24 this case going forward. Any pending hearings before the magistrate judge are hereby vacated.

25 **IT IS SO ORDERED.**

26 **Dated: August 2, 2013**

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Troy L. Nunley
United States District Judge