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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD H. GREENE,

Plaintiff,

No. 2:09-cv-0793 JFM (PC)

vs.

JAMES TILTON, et al.,

Defendants.

ORDER

On April 2, 2009, plaintiff filed a consent to the jurisdiction of a Magistrate Judge to decide all matters in his case. On August 3, 2010, plaintiff filed a statement withdrawing his consent and seeking reassignment before a district judge.

Plaintiff’s motion requesting reassignment does not set forth the basis for the request. Parties may not withdraw their consents without a showing of good cause or under extraordinary circumstances. 28 U.S.C. § 636(c); McGrath v. Everest Nat. Ins. Co., 2009 WL 4842837 (N.D. Ill. 2009); Brook, Weiner, Sered, Kreger & Weinberg v. Coreq, Inc., 53 F.3d 851, 852 (7th Cir. 1995). Plaintiff has failed to show good cause for the reassignment request, and therefore, the motion will be denied.

Discovery is now closed and the time for filing dispositive motions has passed with no such motions filed by either party. Further, despite an order on May 29, 2009 to the

1 defendants to submit their position regarding the jurisdiction of the undersigned by September  
2 29, 2009, defendants have not yet responded to the court order. Therefore, in order to issue a  
3 scheduling order setting forth the trial date in this matter, IT IS HEREBY ORDERED that:

- 4 1. Plaintiff's motion to withdraw consent is denied; and
- 5 2. The Clerk of the Court is directed to assign a district judge to this matter.

6 DATED: January 3, 2011.

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9 UNITED STATES MAGISTRATE JUDGE

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