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

MICHAEL SPERRY,
Plaintiff,

No. CIV S-11-1128-CMK-P

vs.

ORDER

D. SWINGLE, et al.,
Defendants.

_____ /

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to Eastern District of California Local Rules, this case was not assigned to a District Judge when the case was filed. The parties have not consented to Magistrate Judge jurisdiction and the court now finds that assignment of a District Judge is necessary to properly address the case.

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1 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to
2 randomly assign a District Judge to this case and to update the docket.

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4 DATED: December 16, 2011

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6 _____
7 **CRAIG M. KELLISON**
8 UNITED STATES MAGISTRATE JUDGE

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