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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD VINCENT ROOD,

 Petitioner,

 v.

GARY SWARTHOUT,

 Respondent.

No. 2:12-cv-01476 AC P

ORDER TO SHOW CAUSE

By order filed April 22, 2015, this court directed respondent to file a response to petitioner’s First Amended Petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. In light of respondent’s consent to the jurisdiction of the magistrate judge for all purposes, filed September 19, 2012, see ECF No. 13, the court’s recent order erred in directing the Clerk of Court to send respondent another copy of the form “Consent to Proceed Before a United States Magistrate Judge” pursuant to 28 U.S.C. § 636(c), and Local Rule 305(a). See ECF No. 46 at 3. Nevertheless, respondent returned the form, now declining jurisdiction of the magistrate judge for all purposes. See ECF No. 49.


Pursuant to 28 U.S.C. § 636(c), a party must demonstrate extraordinary circumstances in support of a request to vacate reference of a civil matter to a magistrate judge. See 28 U.S.C. § 636(c)(4).

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Accordingly, IT IS HEREBY ORDERED that respondent shall file and serve, within seven days after the filing date of this order, a statement demonstrating extraordinary circumstances in support of vacating reference of the instant action to the undersigned magistrate judge for all purposes; alternatively, respondent may request withdrawal of the form filed April 27, 2015. No response is required by petitioner.

DATED: May 4, 2015



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE