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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICO FLOWERS, Plaintiff, v. HIGH DESERT STATE PRISON, et al., Defendants.	No. 2:12-cv-2047 MCE CKD P <u>ORDER</u>
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On January 25, 2016, the district court judge assigned to this case continued trial from March 7, 2016 to July 18, 2016. The parties are informed that if the parties wish to consent to magistrate judge jurisdiction, the undersigned is prepared to proceed to trial the week of May 2, 2016 following a trial confirmation hearing which would most likely take place near the beginning of March.

Due to the extraordinarily high case load of the district court judges in this district, trials in civil rights actions concerning prison conditions are often conducted by United States Magistrate Judges with the consent of all the parties. A trial conducted by a magistrate judge is far more likely to proceed on a scheduled trial date. Presently, when a civil trial is set before a district judge, any criminal trial which conflicts with the civil trial will take priority, even if the civil trial date was set first. Thus, a civil trial set before a district judge is often trailed day to day or week to week until the completion of the matter occupying the district court.

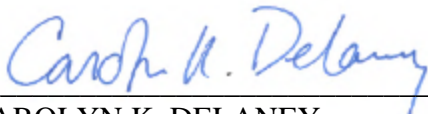
1 Any appeal from a judgment entered by a United States Magistrate Judge is taken directly
2 to the United States Court of Appeals for the Ninth Circuit.

3 Withholding consent or declining jurisdiction of a United States Magistrate Judge will
4 have no effect on the merits of a party's case or have any adverse substantive consequences.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Clerk of the Court is directed to send counsel for defendant and plaintiff the
7 court's form for consenting to magistrate judge jurisdiction; and
- 8 2. If the parties wish to consent to magistrate judge jurisdiction thereby obtaining an
9 expedited trial date, they shall so indicate on the form and return the form to the court within 14
10 days.

11 Dated: January 27, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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