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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HENRY A. JONES,
Plaintiff,
v.
P. KUPPINGER, et al.,
Defendants.

No. 2:13-cv-0451 WBS AC P

ORDER

Upon the consent of the parties, this prisoner civil rights case now proceeds under the jurisdiction of the assigned magistrate judge for all purposes pursuant to 28 U.S.C. § 636(c) and Local Rule 305(a). See ECF No. 133. Prior to the parties so consenting, the magistrate judge dismissed defendants Virga, Daly, Lincoln, Gomez and Vitale from this action upon screening the original complaint. See ECF No. 6. The Ninth Circuit Court of Appeals subsequently ruled, in Williams v. King, 875 F.3d 500 (9th Cir. 2017), that the consent of all parties, including unserved defendants, is a prerequisite to a magistrate judge’s jurisdiction to enter a dispositive decision. Absent such consent, the dispositive decision must be entered by the assigned district judge.

The undersigned has reviewed the reasons for the magistrate judge’s dismissal of the above-named defendants, construes the matter as findings and recommendations, and finds the reasoning of the magistrate judge persuasive.


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Accordingly, for the reasons set forth in the court's June 21, 2013 screening order, see ECF No. 6, and pursuant to the requirements set forth in Williams v. King, 875 F.3d 500 (9th Cir. 2017), IT IS HEREBY ORDERED that defendants Virga, Daly, Lincoln, Gomez and Vita are dismissed from this action.

IT IS SO ORDERED.

Dated: May 7, 2019


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

AC/kt: jone0451.Wms.