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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL MAZZEI,
Petitioner,
v.
RON DAVIS, WARDEN,
Respondent.

No. 2:14-cv-1720 KJN P

ORDER

Petitioner is a state prisoner proceeding without counsel. On August 8, 2014, petitioner filed a motion to rescind his consent to the jurisdiction of the undersigned. Petitioner claims that he rushed to submit the court’s form, signed July 29, 2014, and made a mistake by consenting to the undersigned.

Since this action has not yet been reassigned to the undersigned, petitioner may withdraw his consent without demonstrating good cause or extraordinary circumstances. See 28 U.S.C. § 636(c); Dixon v. Ylst, 990 F.2d 478, 480 (9th Cir. 1993) (“Once a civil case is referred to a magistrate judge under section 636(c), the reference can be withdrawn by the court only ‘for good cause shown on its own motion, or under extraordinary circumstances show by any party.’”).

Accordingly, in the interests of justice, the court grants petitioner's request to rescind his consent, and his consent to the jurisdiction of the magistrate judge is deemed withdrawn. See Bowman v. Schwarzenegger, 2009 WL 799274, *1 (E.D. Cal. March 23, 2009).

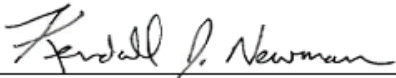
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IT IS HEREBY ORDERED that:

1. Petitioner's motion (ECF No. 6) is granted;
 2. Petitioner's consent to the jurisdiction of the magistrate judge is deemed withdrawn;
- and
3. The Clerk of the Court is directed to assign a district judge to this case.

Dated: September 9, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE