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UNITED STATES DISTRICT COURT

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Northern District of California

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SHANNON O. MURPHY

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Plaintiff(s),

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v.

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U.S. POSTAL SERVICE

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Defendant(s).

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No. C 09-03113 MEJ

**SECOND ORDER DIRECTING
PLAINTIFF TO FILE
CONSENT/DECLINATION FORM**

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On July 23, 2009, the Court ordered Plaintiff Shannon O. Murphy to file a consent to Magistrate Judge James' jurisdiction or a request for reassignment to a United States District Judge for trial. Although the Court set a filing deadline of August 13, 2009, Plaintiff has yet to respond. This civil case was randomly assigned to Magistrate Judge James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

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You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, Plaintiff shall inform the Court, by way of the enclosed form, whether Plaintiff consents to Magistrate Judge James' jurisdiction or requests reassignment to a United States District Judge for trial. The consent/declination form shall be filed by than September 3, 2009.

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IT IS SO ORDERED.

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Dated: August 18, 2009

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Maria-Elena James
Chief United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHANNON O. MURPHY

No. C 09-03113 MEJ

Plaintiff(s),

VS.

U.S. POSTAL SERVICE

Defendant(s).

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of 18 U.S.C. § 636(c), the undersigned party hereby consents to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and order the entry of final judgment, and voluntarily waives the right to proceed before a United States District Judge.

Dated: _____

Signed by: _____

Counsel for: _____

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition, and hereby requests the reassignment of this case to a United States District Judge.

Dated: _____

Signed by: _____

Counsel for: _____

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SHANNON O. MURPHY
Plaintiff,
v.
U.S. POSTAL SERVICE
Defendant.

Case Number: 09-03113 MEJ

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 18, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Shannon O. Murphy
General Delivery
Richmond, CA 94530

Dated: August 18, 2009

Richard W. Wiekling, Clerk
By: Brenda Tolbert, Deputy Clerk