

1 UNITED STATES DISTRICT COURT  
2 Northern District of California

3  
4 MICHAEL E. PERRY

5 Plaintiff(s),

No. C 09-04908 MEJ

6 v.

7 MICHAEL J. ASTRUE

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

8 Defendant(s).  
\_\_\_\_\_ /

9 Pending before the Court is Plaintiff's in forma pauperis application. Upon review of the  
10 record in this action, the Court notes that Plaintiff has not filed a written consent to Magistrate Judge  
11 James' jurisdiction. This civil case was randomly assigned to Magistrate Judge James for all  
12 purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this  
13 district court are designated to conduct any and all proceedings in a civil case, including trial and  
14 entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by  
15 Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth  
16 Circuit in the same manner as an appeal from any other judgment of a district court.

17 You have the right to have your case assigned to a United States District Judge for trial and  
18 disposition. Accordingly, Plaintiff shall inform the Court whether he consents to Magistrate Judge  
19 James' jurisdiction or requests reassignment to a United States District Judge for trial. A copy of  
20 both the consent and declination forms may be obtained from the Northern District of California's  
21 website at <http://www.cand.uscourts.gov/>. From the homepage, click on the "Forms" tab on the left  
22 margin, then choose "Civil." The consent/declination form shall be filed by November 3, 2009.

23 **IT IS SO ORDERED.**

24  
25 Dated: October 19, 2009

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27 \_\_\_\_\_  
28 Maria-Elena James  
Chief United States Magistrate Judge