

1 UNITED STATES DISTRICT COURT  
2 Northern District of California

3  
4 JAMES W. JAMES

5 Plaintiff(s),

No. C 09-05149 MEJ

6 v.

7 THE UNITED STATES OF AMERICA

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

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

9 Pending before the Court is Defendant's Motion to Dismiss. Upon review of the record in  
10 this action, the Court notes that Defendant has not filed a written consent to Magistrate Judge James'  
11 jurisdiction. This civil case was randomly assigned to Magistrate Judge James for all purposes  
12 including trial. In accordance with 28 U.S.C. § 636(c), the magistrate judges of this district court are  
13 designated to conduct any and all proceedings in a civil case, including trial and entry of final  
14 judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge  
15 James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same  
16 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, Defendant shall inform the Court whether it 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 July 19, 2010.

23 **IT IS SO ORDERED.**

24  
25 Dated: July 12, 2010

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27 Maria-Elena James  
28 Chief United States Magistrate Judge