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2 UNITED STATES DISTRICT COURT
3 Northern District of California
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5 BISMARCK F. DINIUS,

No. C 10-03498 MEJ

6 Plaintiff,

**ORDER DIRECTING DEFENDANT
RUSSELL PERDOCK TO FILE
CONSENT/DECLINATION**

7 v.

8 RUSSELL L. PERDOCK, et al.,

9 Defendants.
_____ /

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11 On November 12, 2010, the Court scheduled a January 20, 2011 hearing date on any motions
12 to dismiss in this case, in order to allow Defendant Russell Perdock time to retain counsel. (Dkt.
13 #31.) The Court now also notes that Mr. Perdock has not consented to magistrate judge jurisdiction
14 or requested reassignment to a district judge. This civil case was randomly assigned to Magistrate
15 Judge James for all purposes including trial. In accordance with 28 U.S.C. § 636(c), the magistrate
16 judges of this district court are designated to conduct any and all proceedings in a civil case,
17 including trial and entry of final judgment, upon the consent of the parties. An appeal from a
18 judgment entered by Magistrate Judge James may be taken directly to the United States Court of
19 Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district
20 court.

21 You have the right to have your case assigned to a United States District Judge for trial and
22 disposition. Accordingly, Mr. Perdock shall inform the Court, by way of the enclosed form, whether
23 he consents to Magistrate Judge James' jurisdiction or requests reassignment to a United States
24 District Judge for trial. The consent/declination form shall be filed by December 16, 2010.

25 **IT IS SO ORDERED.**

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27 Dated: November 12, 2010

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Maria-Elena James
Chief United States Magistrate Judge

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

BISMARCK F. DINIUS, No. C 10-03498 MEJ
Plaintiff,
v.
RUSSELL L. PERDOCK, et al.,
Defendants.

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of 28 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: _____