

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ADAM MCDONALD,
Plaintiff(s),

vs.

UNITED STATES OF AMERICA, et al.,
Defendant(s).

No. C 09-1181 MEJ

**ORDER RE: PLAINTIFF'S OBJECTION
SECOND ORDER FOR PLAINTIFF TO
FILE CONSENT/DECLINATION**

United States District Court
For the Northern District of California

The Court is in receipt of Plaintiff's "Objection of Order to File Consent/Declination," filed May 20, 2009. Although Plaintiff apparently objects to the need to file a consent to magistrate jurisdiction or request for reassignment to a district court judge, the undersigned magistrate judge is unable to proceed without Plaintiff's consent. Thus, Plaintiff must decide whether he would like to proceed before a magistrate judge or have his case assigned to a district court judge.

Accordingly, the Court hereby ORDERS Plaintiff to inform the Court whether he 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 June 7, 2009. The Court has attached another copy of the consent/declination for Plaintiff's convenience.

Failure to comply with this order may result in the imposition of sanctions.

IT IS SO ORDERED.

Dated: May 20, 2009



MARIA-ELENA JAMES
United States Magistrate Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

ADAM MCDONALD,

No. C 09-1181 MEJ

Plaintiff(s),

vs.

UNITED STATES OF AMERICA, et al.,
_____ /

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: _____

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA
5

6
7 ADAM MCDONALD,
8 Plaintiff,

Case Number: CV09-01181 MEJ

CERTIFICATE OF SERVICE

9 v.

10 UNITED STATES OF AMERICA et al,

11 Defendant.
_____ /

12
13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

14 That on May 20, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
16 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.

17 Adam McDonald
18 570 El Camino Real
#150-141
19 Redwood City, CA 94063

20 Dated: May 20, 2009

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