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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PATRICIA M. HERNANDEZ,)
)
Plaintiff,)
)
v.)
)
PATRICIA ALVAREZ, et al.,)
)
Defendants.)

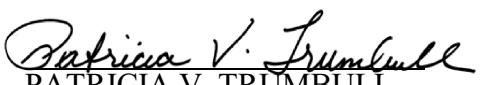
Case No.: C 08-1630 PVT
**ORDER THAT CASE BE REASSIGNED AND
VACATING CASE MANAGEMENT
CONFERENCE**

There is currently a Case Management Conference set for March 24, 2009. On February 18, 2009, this court issued an order setting a deadline of March 3, 2009 for each party who has appeared in this action to file *either* a “Consent to Proceed Before a United States Magistrate Judge,” or else a “Declination to Proceed Before a United States Magistrate Judge and Request for Reassignment.” As of the date of this order, two parties who have appeared (Defendants Gloria Alvarez and Enrique Amezcua) have not filed either document. Therefore,

IT IS HEREBY ORDERED that this case be reassigned to a District Judge. Absent consent of all parties, a Magistrate Judge cannot preside over a case. *See* 28 U.S.C. § 636.

IT IS FURTHER ORDERED that the Case Management Conference is VACATED. A Case Management Conference will be scheduled to be heard by the District Judge to whom this case is reassigned.

Dated: 3/9/09


PATRICIA V. TRUMBULL
United States Magistrate Judge

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Counsel automatically notified of this filing via the court's Electronic Case Filing system.

copies mailed on _____ to:

Gloria Alvarez
4075 Evergreen Village Sq., #160-123
San Jose, CA 95135

Enrique Amezcua
1937 Ceylon Ave.
San Jose, CA 95122

CORINNE LEW
Courtroom Deputy