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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

U.S. BANK N.A.,

Plaintiff,

v.

JOSE LOPEZ,

Defendant.

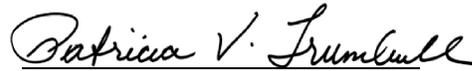
Case No.: C 10-1259 PVT

**ORDER THAT CASE BE REASSIGNED TO A DISTRICT JUDGE**

On March 1, 2010, Defendant filed an Application to Proceed *In Forma Pauperis*. On April 14, 2010, this court issued an order setting a deadline of April 26, 2010 for Plaintiff to file either a written consent to the jurisdiction of the Magistrate Judge, or a request for reassignment to a District Judge. Plaintiff failed to file either document. Therefore, based on the file herein,

IT IS HEREBY ORDERED that this action be reassigned to a District Judge. Absent consent to Magistrate Judge jurisdiction, a Magistrate Judge does not have authority to rule on potentially case-dispositive motions, including requests to proceed *in forma pauperis*. See 28 U.S.C. § 636(c)(1); see also, e.g., *Tripati v. Rison*, 847 F.2d 548 (9<sup>th</sup> Cir. 1988).

Dated: 5/13/10

  
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 5/17/10 to:

Jose Lopez  
3283 Hostetter Road  
San Jose, CA 95132

/s/ Donna Kirchner for  
MARTHA BROWN  
Courtroom Deputy