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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CARLOS DURAN, Plaintiff, v. CITY OF SAN JOSE, et al., Defendants.	Case No.: C 10-1380 PVT **ORDER SETTING DEADLINE FOR PARTIES 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"**

Currently pending before the court is Plaintiff's Application to Proceed *In Forma Pauperis*. Based on the application and the file herein,

IT IS HEREBY ORDERED that, no later than July 20, 2010, Plaintiff shall 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." Both forms are available from the clerk of the court, or from the court's website at www.cand.uscourts.gov in the Forms (Civil) section. Absent consent, a Magistrate Judge is not authorized to rule on certain matters, such as 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 (9th Cir. 1988). After receipt of whichever form Plaintiff chooses to file, the appropriate judge will rule on the pending application..

Dated: *7/1/10*

Patricia V. Trumbull

PATRICIA V. TRUMBULL
United States Magistrate Judge

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