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**\*E-FILED January 12, 2012\***

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ERNESTO MARTINEZ,

No. C12-00102 HRL

Plaintiff,

v.

**ORDER SETTING DEADLINE FOR  
CONSENT OR DECLINATION TO  
PROCEED BEFORE A UNITED STATES  
MAGISTRATE JUDGE**

MAXWELL REAL ESTATE INVESTMENT,  
LLC,

Defendant.

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This case was randomly assigned to the undersigned magistrate judge for all purposes, including trial. In accordance with 28 U.S.C. § 636, the magistrate judges of this district are designated to conduct any and all proceedings in a civil case (including trial and entry of judgment), upon consent of the parties. An appeal from a judgment entered by a magistrate judge may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district judge.

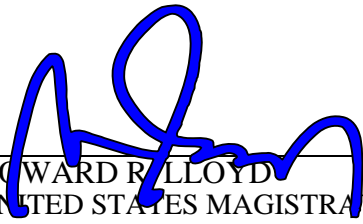
Parties have the right to decline to proceed before a magistrate and to request reassignment to a district judge without adverse substantive consequences. Fed. R. Civ. P. 73(b)(2). Martinez shall, **no later than January 27, 2012**, inform the court whether he consents to magistrate judge jurisdiction or whether he requests reassignment to a district judge by filing either (1) a Consent to Proceed Before a United States Magistrate Judge or (2) a Declination to Proceed Before a Magistrate Judge and Request for Reassignment to a United

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States District Judge. The forms are available from the Clerk of the Court and on the court's website at <http://cand.uscourts.gov>.

SO ORDERED.

Dated: January 12, 2012



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HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

**United States District Court**  
For the Northern District of California

1 5:12-cv-00102-HRL Notice sent by U.S. Mail to:

2 Ernesto Martinez  
3 648 N. 17th Street  
4 San Jose, CA 95112

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