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

MICHAEL LERMA,)	No. C 13-5546 LHK (PR)
)	
Petitioner,)	ORDER VACATING CONSENT
)	ORDER; REASSIGNING CASE
v.)	
)	
JENNIFER SHAFFER,)	
)	
Respondent.)	
_____)	

Petitioner, a state prisoner proceeding *pro se*, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner had filed a consent to magistrate judge jurisdiction in this federal habeas corpus matter under 28 U.S.C. § 2254. (Doc. No. 4.) As such, the court issued an order to reassign this action for all further matters to a magistrate judge. (Doc. No. 5.) However, after further review, it appears that the undersigned was initially assigned this action in error. *See* General Order 44(D)(5) (“the Clerk shall assign any non-capital habeas petition filed by a prisoner to the same judge who was assigned any previous petitions filed by or on behalf of that prisoner.”). Petitioner has a previously filed non-capital habeas petition with Judge Jon S. Tigar. *See Lerma v. Cate*, No. 11-4265 JST (N.D. Cal.).

Accordingly, the December 30, 2013, order reassigning this case to a magistrate judge is VACATED. This action is REASSIGNED to Judge Jon S. Tigar pursuant to General Order 44(D)(5).

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IT IS SO ORDERED.

DATED: 1/6/14



LUCY H. KOH
United States District Judge