

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No. 15-cv-2296-WYD-GPG

UNITED STATES OF AMERICA

Plaintiff,

v.

2005 FORD F-150 SUPERCREW XLT, VIN: 1FTPW14545KE80841

Defendant.

ORDER

THIS MATTER is before the Court *sua sponte* regarding the Parties' Consent to the Exercise of Jurisdiction by a United States Magistrate Judge (ECF No. 11). This Court ordered that the above action be referred to part-time Magistrate Judge Gordon P. Gallagher on December 8, 2015. However, the statute governing consent jurisdiction, 28 U.S.C. § 636(c), indicates that consent jurisdiction for a part-time magistrate judge is only appropriate upon the consent of the parties, if the chief judge of the district court certifies that a full-time magistrate judge is not reasonably available, and the assignment to the part-time magistrate judge is designated by concurrence of the majority of all the judges of the district court.

Since the required conditions for such consent jurisdiction to a part-time magistrate judge do not exist in this case, I must **vacate** the Order of Reference (ECF No. 12) predicated on the Consent (ECF No. 11). Accordingly, I will remain as the

presiding judge on this matter, and Magistrate Judge Gallagher will remain as the magistrate judge on the matter, but without consent jurisdiction.

Dated: January 12, 2016

BY THE COURT:

s/ Wiley Y. Daniel

Wiley Y. Daniel

Senior United States District Judge