

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

ANGELA MARIE BOGUE GILMORE,)	
)	
Plaintiff,)	
)	CIVIL ACTION
v.)	
)	No. 12-1446-KHV
MARTY SNYDER, et al.,)	
)	
Defendants.)	
_____)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff’s Consent Withheld To Proceed Before A Magistrate (Doc. #12) filed July 9, 2013. Plaintiff states that she does not consent pursuant to 28 U.S.C. § 636(c) and Rule 73, Fed. R. Civ. P., to allow a magistrate judge to conduct proceedings in this case. While the trial in this case will not be conducted by a magistrate judge without the parties’ consent, the parties do not have the authority to withhold consent for a magistrate judge to perform the duties prescribed by 28 U.S.C. § 636(a). See D. Kan. R. 72.1.1.

Insofar as plaintiff’s filing is intended to notify defendants and the Court that plaintiff withholds her consent to trial by a magistrate judge, it is so noted. The Court also construes plaintiff’s filing as a motion for the undersigned judge to conduct all pretrial proceedings in this case. To that extent, plaintiff’s motion is overruled. A magistrate judge will perform all appropriate duties necessary in this case as authorized by 28 U.S.C. § 636(a) and D. Kan. R. 72.1.1.

Dated this 6th day of August, 2013, at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge