**In the United States District Court**

**For the Southern District of Georgia**

Choose an item. **Division**

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| Choose an item., | \*  \* | CIVIL ACTION NO.: Click here to enter text. |
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**STATEMENT REGARDING ASSIGNMENT OF CASE**

**TO A UNITED STATES MAGISTRATE JUDGE**

COMES NOW, Click here to enter text., a party or parties in the above-styled case and hereby shows this Honorable Court as follows:

1.

The above-named party (or parties) understands the Court has designated the United States Magistrate Judges of this District to exercise plenary jurisdiction over this type of case. Accordingly, if all parties consent to this matter being assigned to a Magistrate Judge, the Court will assign this case to a Magistrate Judge, who will thereafter conduct any and all proceedings in this matter, including any trial and entry of final judgment pursuant to 28 U.S.C. § 636(c).

2.

The above-named party (or parties) understands any and all parties are free to withhold consent and insist this matter not be assigned to a Magistrate Judge. If any party does not consent, the Court will not assign this case to a Magistrate Judge, and no party will suffer any substantive consequences from withholding consent. However, assignment to a Magistrate Judge typically allows for a case to be resolved more expeditiously. Thus, if any party withholds consent, it may take longer for the case to be resolved.

3.

The above-named party (or parties) has also been advised and understands, even if any party does not consent to this case being assigned to a Magistrate Judge, the Court will refer all pretrial matters to a Magistrate Judge in the following manner:

A. Under 28 U.S.C. § 636(b)(1)(A), even if the parties do not consent and the case is not assigned to a Magistrate Judge, the Court will refer any and all non-dispositive, pre-trial matters to a Magistrate Judge for a determination.[[1]](#footnote-1) The district judge will only reconsider the Magistrate Judge’s decision on any non-dispositive, pre-trial matter if the decision is clearly erroneous or contrary to law.

B. Under 28 U.S.C. § 636(b)(1)(B), even if the parties do not consent and the case is not assigned to a Magistrate Judge, the Court will refer all dispositive motions to a Magistrate Judge for a recommendation. As to any such dispositive motions, the Magistrate Judge will submit a Report and Recommendation to the District Judge with proposed findings of fact and recommendations for disposition. The District Judge will then make a de novo determination of those portions of the Report and Recommendation to which any party objects, and the District Judge may accept, reject, or modify, in whole or in part, the findings and recommendations made by the Magistrate Judge.

**CHOOSE ONE OF THE FOLLOWING:**

The above-named party (or parties) hereby consents to the Court assigning this case to a United States Magistrate Judge. The above-named party (or parties) understands, if all parties consent, the Magistrate Judge will conduct any and all proceedings in this matter, including any trial and entry of final judgment.

The above-named party (or parties) does not consent to this matter being referred to a United States Magistrate Judge. The above-named party (or parties) understands the Court will not assign this case to a Magistrate Judge for final disposition, but the Court will still refer all pretrial matters to a Magistrate Judge in the manner described herein.

Signed this day of , 20\_\_\_.

Signature of the Above-Named Party if Proceeding Pro Se or

Counsel for the Above-named Party or Parties if Represented

1. Non-dispositive pretrial matters include all pre-trial motions except for the following motions: motions for injunctive relief, for judgment on the pleadings, for summary judgment, to dismiss or to permit maintenance of a class action, to dismiss for failure to state a claim upon which relief can be granted, and to involuntarily dismiss an action. These excepted motions are hereinafter referred to as “dispositive motions.” [↑](#footnote-ref-1)