

Sample Form 51

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE: UNITED STATES MAGISTRATE JUDGES

ORDER OF GENERAL REFERENCE

Pursuant to 28 U.S.C. § 636(a) and (b), the following cases are hereby ORDERED referred to those United States Magistrate Judges who are authorized to perform in any such case any and all functions authorized for full-time United States Magistrate Judges by Local Rule 26 of the United States District Court for the Southern District of Alabama as now effective or hereinafter amended. In each such case, the Magistrate Judges shall proceed in accordance with Rule 72, FED.R.CIV.P. In the event the parties in any such case consent to proceed to trial and judgment before the Magistrate Judges pursuant to 28 U.S.C. § 636(c), the Magistrate Judge is hereby AUTHORIZED to proceed in such cases in accordance with the applicable statutes, Rules 73, 74, 75 and 76, FED.R.CIV.P., and Local Rule 26. The referred categories of cases are:

1. All appeals from decisions of the Secretary of Health and Human Services regarding Social Security benefits including applications for attorney's fees after a successful appeal.
2. All misdemeanor cases unless or until the person charged with the misdemeanor elects to be tried before a Judge of this Court, pursuant to 18 U.S.C. § 3401(b).
3. All prisoner cases filed pursuant to 42 U.S.C. § 1983.
4. All prisoner cases filed pursuant to 28 U.S.C. § 2254, except those cases where the petitioner was sentenced to death.
5. All procedural or discovery motions or other pretrial matters in a civil or criminal case, other than the motions which are specified in 28 U.S.C. § 636(b) (1) (A) and motions for extension of discovery deadlines.
6. All procedural or discovery motions or other pretrial matters in a civil case pending before Senior Judge Virgil Pittman.

7. Any motion or request for the Court to enter an order to withdraw registry funds in the following proceedings:
- a. Civil cases disposed of by a Magistrate Judge pursuant to 28 U.S.C. § 636(c);
 - b. Misdemeanor and petty offense cases disposed of by a Magistrate Judge pursuant to 18 U.S.C. § 3401; 28 U.S.C. § 636(a) (3) ;
 - c. Bail release proceedings in which a Magistrate Judge has ordered bail money to be deposited into court pursuant to 18 U.S.C. § 3141, et seq; 28 U.S.C. § 636(a) (2) ; and
 - d. Pretrial matters referred to the Magistrate Judge for determination pursuant to 28 U.S.C. § 636(b) (1) (A).

In each of the above-described cases, this order shall act as a reference to the Magistrate Judges and no further order of reference need be prepared or docketed by the Clerk. The Clerk shall advise the parties in each such case of this General Order of Reference, the identity of the Magistrate Judge assigned, and of their right to consent to final disposition by the Magistrate Judges under 28 U.S.C. § 636(c).

IT IS SO ORDERED, this 27th day of September, 1991.

<s>

ALEX T. HOWARD
CHIEF UNITED STATES DISTRICT JUDGE

<s>

CHARLES R. BUTLER, JR.
UNITED STATES DISTRICT JUDGE

<s>

RICHARD W. VOLLMER, JR.
UNITED STATES DISTRICT JUDGE

<s>

DANIEL H. THOMAS
SENIOR UNITED STATES DISTRICT JUDGE

<s>

VIRGIL PITTMAN
SENIOR UNITED STATES DISTRICT JUDGE

<s>

WILLIAM BREVARD HAND
SENIOR UNITED STATES DISTRICT JUDGE