

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

FILED

SEP 27 2011

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY  DEPUTY CLERK

ORDER

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In the Matter of the :  
Designation of a Magistrate Judge :  
for Service in Another District :  
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Pursuant to 28 U.S.C. § 636(f), in an emergency and upon the concurrence of the chief judges of the districts involved, a United States magistrate judge may be temporarily assigned to perform any of the duties specified in subsections (a), (b), or (c) of this section in a judicial district other than the judicial district for which he or she has been appointed. No magistrate judge shall perform any of such duties in a district to which he or she has been temporarily assigned until an order has been issued by the chief judge of such district specifying the emergency by reason of which the magistrate judge is being transferred, the duration of his or her assignment, and the duties which he or she is authorized to perform.

The anticipated departure of Magistrate Judge Robert L. Pitman, upon his confirmation as the district's new United States Attorney, will create an unexpected vacancy/emergency situation in the Western District of Texas at Austin. The dramatic growth in the number of felony and petty offense immigration cases filed in the District as a result of increased enforcement along the district's border with Mexico has created an emergency situation for the magistrate judges at Austin, whose workloads have become extremely burdensome. For this reason, the court certifies the need for assistance from visiting magistrate judges, including the Honorable Timothy J. Bommer, a magistrate judge, formerly from the District of Wyoming and recalled in the Eastern District of California, to assist at Austin with the handling of the court's heavy and daily criminal docket, on an as needed basis, for a nine month period from September 27, 2011 to June 27, 2012.

**Therefore**, with the concurrence of the Honorable Anthony W. Ishii, Chief Judge Eastern District of California,

**IT IS HEREBY ORDERED**, that Timothy J. Bommer, retired and recalled U.S. Magistrate Judge, District of Wyoming is authorized to hold court and perform other judicial duties under 28 U.S.C. § 636, subsections (a), (b), and (c), in the Western District of Texas on an as needed basis for the period from September 27, 2011 to June 27, 2012.

It is so ORDERED.

SIGNED this 27th day of September, 2011.

  
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FRED BIERY  
CHIEF UNITED STATES DISTRICT JUDGE