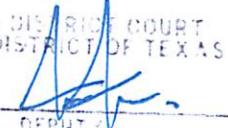


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED

2019 AUG 22 PM 3: 28

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY  DEPUTY

IN RE: :
: :
PROCEDURES FOR THE PILOT : EL PASO DIVISION
PROJECT AND THE DIRECT : STANDING ORDER NO. 001
ASSIGNMENT TO MAGISTRATE :
JUDGES OF CIVIL PROCEEDINGS :

ORDER

IT IS HEREBY ORDERED THAT Magistrate Judges in the Western District of Texas, El Paso Division, shall now receive on direct assignment, all civil actions originally filed, removed to, or otherwise transferred to the Western District of Texas, El Paso Division in the percentage indicated hereafter.

Upon the filing of a civil action for direct assignment to a Magistrate Judge, the El Paso Division's Clerk's Office shall review the case type, and at the appropriate time in the progress of the case, send to all case participants, a "Consent to the Exercise of Jurisdiction by a United States Magistrate Judge In Direct Assignment Cases" form ("Consent Form"). Unless otherwise ordered, each party shall complete and return the Consent Form no later than 30 days from the date the Consent Form is sent. It is acceptable for the signature line of

the Consent Form to be signed by s/Attorney, or party name, or PDF signature stamp. *Pro Se* Parties or attorneys, whichever may apply, shall e-mail the Consent Form to: consents_EP@txwd.uscourts.gov or mail the Form to: Clerk's Office, Attention: Consents, U.S. District Court, 525 Magoffin Avenue, Suite 105, El Paso, TX 79901-2578.

The initially assigned Magistrate Judge shall be responsible for all case management and scheduling activities and shall decide all non-dispositive pretrial and discovery matters. If all parties consent to the Magistrate Judge's exercise of jurisdiction, the case shall remain assigned to the Magistrate Judge for all purposes, including trial and entry of final judgment pursuant to 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73. Appeal from a final judgment entered at a Magistrate Judge's direction may be taken to the appropriate United States Court of Appeals like any other judgment of this court.

Any party added to a civil action in which the parties have consented to the direct assignment of a Magistrate Judge shall be notified by the Clerk of Court of the obligation to complete and return the Consent Form. Consent to Magistrate Judge jurisdiction is strictly voluntary, and no adverse substantive consequence shall result if consent is declined. If all parties, including added parties, do not consent, the identity of the parties withholding consent will not be communicated

to any judicial officer. In the instance where the parties do not consent, the case will be randomly assigned to a District Judge consistent with the percentage indicated hereafter, and the Magistrate Judge will be assigned a referral role and manage the case through the filing of a Report and Recommendation on dispositive motions.

This Standing Order does not preclude parties from consenting in other civil actions that are not directly assigned to a Magistrate Judge.

The following cases are excluded from direct assignment to the Magistrate Judges: bankruptcy appeals, class actions, actions in which injunctive relief is sought, and death penalty habeas corpus petitions.

All social security cases shall be directly filed and randomly assigned to a Magistrate Judge. Social security cases are not included in the percentage of civil cases randomly assigned to Magistrate Judges.

All El Paso Division Standing Orders that conflict with this Order are vacated.

Pursuant to this Order, all civil cases, proceedings, and matters shall be assigned randomly to the District and Magistrate Judges of the Western District of Texas, El Paso Division Court as follows:

Hon. Philip R. Martinez	(18%)	Hon. Robert Castaneda	(5%)
Hon. Kathleen Cardone	(18%)	Hon. Anne Berton	(5%)
Hon. Frank Montalvo	(18%)	Hon. Miguel Torres	(5%)
Hon. David Guaderrama	(18%)	Hon. Leon Schydlower	(5%)
Hon. David Briones	(8%)		

This El Paso Division Standing Order shall become effective October 1, 2019.

SO ORDERED.

Dated: August 22, 2019


PHILIP R. MARTINEZ
United States District Judge


KATHLEEN CARDONE
United States District Judge


FRANK MONTALVO
United States District Judge


DAVID GUADERRAMA
United States District Judge


DAVID BRIONES
Senior United States District Judge