

SO3.521 Magistrate Judge Referrals

JUDGE DONALD E. WALTER

This order shall govern all actions filed in this court assigned to Judge Donald E. Walter, unless otherwise ordered by the Court.

Civil Cases

Habeas corpus petitions filed under **28 U.S.C. 2254** and prisoner petitions involving conditions of confinement shall be referred to the assigned magistrate judge for Report and Recommendation, including any evidentiary hearings if needed.

All petitions for review of a denial of a claim for benefits under the Social Security Act, **42 U.S.C. 405(g)** shall be referred to the assigned magistrate judge for Report and Recommendation.

All motions in prisoner petitions involving conditions of confinement which bear an even number shall be referred to the assigned magistrate judge for disposition of all pretrial matters arising through the date of the final pretrial conference, or such other date as the court may direct in any particular case. This reference shall include:

- (1) Any conferences held in furtherance of **Rule 16 of the Federal Rules of Civil Procedure**,
- (2) Any discovery motions or other non-dispositive proceedings in accordance with **28 U.S.C. 636(b)(1)(A)**,
- (3) Any motions, other than discovery motions in accordance with **28 U.S.C. 636(b)(1)(A)**, , to wit:
 - (a) Non-dispositive motions, except for motions for extension of deadlines, and
 - (b) Dispositive motions except for motions for summary judgment..

NOTE:

Motions for summary judgement, either in whole or in part, shall be noticed for disposition by Judge Donald E. Walter.

- (4) All other matters authorized by law.

The assigned magistrate judge is authorized to enter any orders necessary to facilitate review of referred matters, including, but not limited to, orders for the filing of pleadings, motions, and memoranda. The assigned magistrate judge is further authorized to conduct

evidentiary hearings.

Criminal Cases

All criminal actions shall be referred to the assigned magistrate judge for disposition of all pretrial matters arising through the date of the final pretrial conference or such other date as the court may direct in any particular case. This reference shall include:

- (1) Discovery;
- (2) Motions, to wit:
 - (a) Non-dispositive motions;
 - (b) Substantive motions, which will be referred to the assigned magistrate judge for Report and Recommendation.
- (3) Pretrial conferences;
- (4) All other matters authorized by law.

The assigned magistrate judge is authorized to enter any orders necessary to facilitate review of referred matters, including, but not limited to, orders for the filing of pleadings, motions, and memoranda. The assigned magistrate judge is further authorized to conduct evidentiary hearings.

Nothing in this order shall preclude Judge Donald E. Walter from withdrawing the reference of any matter.

EFFECTIVE OCTOBER 20, 2008!