

Magistrate Judge Referrals

JUDGE DAVID C. JOSEPH

This order shall govern all actions filed in this court assigned to Judge David C. Joseph, unless otherwise ordered by the Court.

Civil Cases

All civil actions, except habeas corpus petitions filed under **28 U.S.C. 2241 and 2254**, and prisoner petitions involving conditions of confinement, and petitions for review of a denial of a claim for benefits under Social Security Act, **42 U.S.C. 405(g)**, 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 and other non-dispositive motions and 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, and
 - (b) Dispositive motions except for motions for summary judgment.

NOTE:

Motions for summary judgment, either in whole or in part, shall be noticed for disposition by Judge David C. Joseph.

- (4) All other matters authorized by law.

Habeas corpus petitions filed under **28 U.S.C. 2241 and 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 cases arising under ERISA, **29 U.S.C. 1132** shall be referred to the assigned magistrate judge for Report and Recommendation.

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) Non-dispositive motions (to exclude Motions to Suppress);
- (3) Pretrial conferences; and
- (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 filings of pleadings, motions, memoranda. The assigned magistrate judge is further authorized to conduct evidentiary hears.

Nothing in this order shall preclude Judge David C. Joseph from withdrawing the reference of any matter.