

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
Standing Referral Order RC-72.4**

CIVIL ACTIONS ASSIGNED TO JUDGE RON CLARK

Pursuant to 28 U.S.C. § 636 and the Local Rules of Court for the Assignment of Duties to United States Magistrate Judges, it is **ORDERED**:

CASES REFERRED

1. Civil actions, other than those described in Paragraph 8, that are assigned to Ron Clark, Senior District Judge, and that are pending in the Lufkin or Beaumont Divisions of the Eastern District of Texas as of the date of this order, or that are filed in either of those divisions after the date of this order, are hereby REFERRED to the full-time United States Magistrate Judges stationed in Beaumont for all pretrial proceedings.

PRETRIAL PROCEEDINGS

2. The assigned Magistrate Judge shall handle all pretrial proceedings in cases referred under paragraph 1. This shall include:

- a. hearing and determining all matters within the Magistrate Judge's dispositive jurisdiction;
- b. proceeding in accordance with 28 U.S.C. §636(b)(1)(B) and (C) on matters excepted from the Magistrate Judge's dispositive jurisdiction under 28 U.S.C. § 636(b)(1)(A); and
- c. In those cases in which the parties have not consented to the Magistrate Judge's jurisdiction, notifying Judge Clark that dispositive motions and non-dispositive motions (such as motions to disqualify experts or counsel and motions concerning discovery) have been disposed of, or that the deadlines for filing such motions and for completion of discovery have passed, and that this court's standard orders regarding trial preparation have been entered so that the case is ready for final pre-trial preparation and trial. Upon receipt of the notification, the referral under paragraph 1 shall be withdrawn, and the case shall be returned to the undersigned for all further proceedings and entry of judgment.

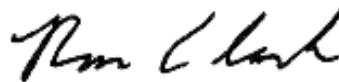
CONSENT

3. Upon receipt of signed consent forms by all parties, the case shall be reassigned to the Magistrate Judge, who shall conduct all proceedings, including jury and non-jury trials, and order the entry of judgment.

REFERRAL PROCEDURE

4. Cases referred to the Magistrate Judges under this Order shall be selected randomly and in equal proportion to each judge. The Clerk of Court shall administer the random referrals and case assignments.
5. In order to protect the integrity of the random case assignment procedure, the Clerk shall take steps to ensure that every case referral is free from actual or potential influence or manipulation by any litigant, counsel, member of the public, or court staff member.
6. In the event of recusal or other disqualification of the Magistrate Judge in a case referred and assigned under this order, the case shall return automatically to the docket of the undersigned, subject to further orders of the court.
7. Case referrals pursuant to paragraph 1, case reassignments under paragraph 3, and withdrawals of referrals under paragraphs 2 and 6 shall be effected automatically under this order. Absent special circumstances, case-specific orders of referral, reassignment, and withdrawals shall not be entered.
8. Criminal cases, prisoner civil rights suits, §2254 & §2255 habeas cases, pro se non-prisoner cases, and social security matters shall not be governed by this order, but shall be governed by General Order 16-10 and Court Orders amending or superseding GO 16-10. Special category cases (e.g., preliminary motions to proceed in forma pauperis and for appointment of counsel in Title VII cases, prisoner cases, and matters on the miscellaneous docket, etc.) shall continue to be governed by existing general orders or other established procedures for referral of matters to Magistrate Judges. Cases described in Paragraph 1 that are set for trial before Judge Clark on a date prior to October 10, 2018 or for which consent for trial before a Magistrate Judge has already been received are not governed by this order.
9. Nothing herein shall preclude referral of additional matters to the Magistrate Judges or the withdrawal of referrals in cases subject to this order whenever appropriate.

Signed and Ordered, August 23, 2018.



Ron Clark, Senior District Judge