IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

Referral Order JDK-72-1
Civil Actions Assigned to Judge Jeremy D. Kernodle

Pursuant to 28 U.S.C. § 636 and Local Rule CV-72, it is hereby ORDERED:

1. Forty percent (40%) of all civil actions filed in the Tyler Division that are assigned to the undersigned are hereby referred to U.S. Magistrate Judges John Love and Nicole Mitchell to handle all pretrial proceedings pursuant to 28 U.S.C. § 636(b)(1). Half of these cases will be randomly assigned to Judge Love, and the other half will be randomly assigned to Judge Mitchell.

2. In cases in which the parties have not consented to trial before the magistrate judge, the magistrate judge shall conduct the pretrial conference and thereafter issue a report to the undersigned indicating that the case is ready for jury selection and trial. Upon receipt of the report, the referral under Paragraph 1 shall be withdrawn, and the case shall be returned to the undersigned for all further proceedings and entry of judgment.

3. In cases in which the parties have consented to trial before the magistrate judge, upon receipt of signed consent forms by all parties, the case shall be reassigned to the magistrate judge, who will conduct all proceedings, including jury and non-jury trials and order the entry of judgment.

4. 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.

5. Case referrals under Paragraph 1, case reassignments under Paragraph 3, and withdrawals of referrals under Paragraphs 2 and 4 shall be effected automatically under this Order.

6. This Order does not affect General Orders 05-4, 05-5, 05-6 and 05-7 or other established procedures for referral to magistrate judges of special category cases (*e.g.*, preliminary motions to proceed *in forma pauperis* and for appointment of counsel in Title VII cases, prisoner cases, matters

on the miscellaneous docket, etc.).

7. Nothing herein shall preclude reference of additional matters to the magistrate judge or the withdrawal of references in cases subject to this Order whenever appropriate.

So **ORDERED** and **SIGNED** this **4th** day of **December, 2018.**

JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE