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

AMENDED REFERRAL ORDER RS-72-2
CIVIL ACTIONS ASSIGNED TO JUDGE ROBERT W. SCHROEDER III

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

CASES REFERRED

1. Forty (40) percent of civil actions (excluding Social Security cases, *Pro Se* Non-Prisoner/Habeas cases and Mortgage cases) filed in the Texarkana Division of the Eastern District of Texas after the date of this Order and assigned to the undersigned are hereby **REFERRED** to U.S. Magistrate Judge Caroline Craven for all pretrial proceedings. All Social Security cases, *Pro Se* Non-Prisoner/Habeas cases and Mortgage cases filed in the Texarkana Division of the Eastern District of Texas after the date of this Order and assigned to the undersigned are hereby **REFERRED** to Judge Craven for all pretrial proceedings.

2. All Social Security cases, *Pro Se* Non-Prisoner/Habeas cases and Mortgage cases filed in the Marshall Division of the Eastern District of Texas after the date of this Order and assigned to the undersigned are hereby **REFERRED** to U.S. Magistrate Judge Roy Payne for all pretrial proceedings.

3. All Social Security cases and *Pro Se* Non-Prisoner/Habeas cases filed in the Sherman Division of the Eastern District of Texas after the date of this Order and assigned to the undersigned are hereby **REFERRED** to U.S. Magistrate Judges Christine A. Nowak and Kimberly C. Priest Johnson. Half of these referred cases will be randomly assigned to Judge Nowak, and the other half will be randomly assigned to Judge Johnson, for all pretrial proceedings.

PRETRIAL PROCEEDINGS

4. The magistrate judges listed above shall handle <u>all pretrial proceedings</u> in cases referred under paragraphs 1-3. This shall include:

   a. hearing and determining all matters within the magistrate judge's dispositive jurisdiction; and

   b. proceeding in accordance with 28 U.S.C. § 636(b)(1)(B) and (C) concerning matters excepted from the magistrate judge's dispositive jurisdiction under 28 U.S.C. § 636(b)(1)(A).

CONSENT

5. Upon receipt of signed consent forms by all parties, the case may be reassigned to a magistrate judge, who shall conduct all proceedings, including jury and non-jury trials, and order the entry of judgment.

REFERRAL PROCEDURE

6. The Clerk of Court shall administer the random referrals and case assignments to the magistrate judges according to procedures devised by the Clerk and approved in advance by the undersigned.

7. In order to protect the integrity of the random case assignment procedure, the Clerk shall take steps to ensure that every case referral shall be free from actual or potential influence or manipulation by any litigant, counsel, member of the public or court staff member.

8. 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.

9. Case referrals pursuant to paragraphs 1-3, case reassignments under paragraph 5 and withdrawals of referrals under paragraphs 4 and 8 shall be effected automatically under this Order. Absent special circumstances, case-specific orders of reference, reassignment and withdrawal shall not be entered.

10. This Order does not affect General Orders 05-4, 05-5, 05-6, 05-7 and 05-10 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.).

11. This Order does not affect any referrals made prior to the entry of this Order.

12. Nothing herein shall preclude reference of additional matters to the magistrate judges or the withdrawal of referrals in cases subject to this Order whenever appropriate.

This Order shall become effective on cases filed on or after the date of this Order.

IT IS SO ORDERED.

SIGNED this 28th day of August, 2019.

Robert W Schroeder III

ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE