

**THE UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF OKLAHOMA**

**NOTICE REGARDING THE
AVAILABILITY OF MAGISTRATE JUDGE BY CONSENT**

The District Court Clerk notifies the parties to this civil action that they may consent to have a Magistrate Judge conduct all proceedings in this action, including a jury or non-jury trial, and order the entry of a final judgment. 28 U.S.C. § 636(c). Parties may find benefits in choosing to proceed before a Magistrate Judge, including firm trial dates, because Magistrate Judges do not preside over felony criminal trials that often must go to trial quickly, ahead of civil cases. The Western District of Oklahoma has a long tradition of excellence in our Magistrate Judges, and each has experience with many types of civil matters. The District Judges of the Court have full confidence in the capabilities of each Magistrate Judge to preside over cases coming before the Court. If all parties consent to proceed before a Magistrate Judge, any final judgment issued is immediately appealable to the United States Court of Appeals for the Tenth Circuit in the same manner as a final judgment from a District Judge. 28 U.S.C. § 636(c), Fed.R.Civ.P. 73.

Consent to Magistrate Judge jurisdiction is voluntary and must be unanimous; no adverse consequence will result if any party declines to consent. Subject to limited exception set forth in General Order 24-7, consent to proceed before a Magistrate Judge is binding throughout the proceeding. Each party in the civil action must complete the attached *Consent or Declination to Magistrate Judge Jurisdiction* form to indicate its position as to Magistrate Judge jurisdiction. If any party withholds consent, the identity of any party consenting or withholding consent will not be communicated to any judge. If consent to Magistrate Judge jurisdiction is declined by one or more parties, the case will remain assigned to the District Judge.

Any party added to the civil action after transfer to a Magistrate Judge shall be notified by the District Court Clerk of the obligation to complete and file a consent form. If any added party does not consent to Magistrate Judge jurisdiction within 21 days from the date of the notice, the civil action shall be reassigned to the original District Judge.

Each party in this action is directed to execute and return the attached consent form to the District Court Clerk via email (consents@okwd.uscourts.gov). Parties appearing pro se may email the form or return it by mail to:

Clerk of Court, Attn: Consents Clerk
William J. Holloway, Jr. United States Courthouse
200 N.W. 4th Street, Room 1210
Oklahoma City, OK 73102

within twenty-one days of receipt. The Clerk shall provide this consent notice and the consent form to any party when filing a complaint or petition or notice of removal and to other parties upon entry of appearance.

The District Court Clerk shall maintain submitted consent forms in a secure location until all parties have returned their forms. Consent forms will not be filed in the case unless all parties submit forms indicating consent to Magistrate Judge jurisdiction. Unfiled forms will be maintained by the Clerk of Court until the termination of the case in this Court. Although consent is not mandatory, returning the form is. A copy of the consent form is attached, but the form may also be found at <https://www.okwd.uscourts.gov>.