

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

CARL ERIC OLSEN,	*	
	*	
Plaintiff,	*	No. 4-07-CV000023
	*	
v.	*	
	*	
ALBERTO R. GONZALES, et al.,	*	MOTION UNDER 28 U.S.C. § 636
	*	AND LOCAL RULE 72.1(d)
Defendants.	*	

MOTION FOR DISTRICT COURT JUDGE TO HEAR AND DETERMINE PRETRIAL MATTERS

The Plaintiff request that a magistrate judge not be designated, pursuant to 28 U.S.C. § 636(b)(1)(B), “[t]o conduct hearings, including evidentiary hearings, and to submit to a judge of the court proposed findings of fact and recommendations for the disposition, by a judge of the court, of any motion excepted in subparagraph (A) ...”

The reason for this request is that this case is one of first impression in this circuit and both the statutory and case law upon which it is founded are fairly recent (two federal statutes enacted in 1993 and 2000, and two U.S. Supreme Court cases interpreting them in 2005 and 2006). The Plaintiff requests that any evidentiary hearings and findings of fact be heard and determined by a Article III of the United States Constitution district court judge.

Respectfully submitted this 17th day of January, 2007

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IN PROPRIA PERSONA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Motion under 28 U.S.C. § 636 and Local Rule 72.1(d) were mailed by first class mail on this 17th day of January, 2007 to each of the following defendants:

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