

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION**

CARL ERIC OLSEN,  
Plaintiff,

vs.

ALBERTO R. GONZALES, et al.,  
Defendants.

No. 4:07-cv-23-JAJ

**ORDER**

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This matter comes before the court pursuant to the plaintiff's January 22, 2007 Motion for a District Court Judge to Hear and Determine Pretrial Matters. (docket 7). In his motion, the plaintiff alleges that his case raises issues of first impression and requests that “any evidentiary hearings and findings of fact be heard and determined by” a district judge rather than a magistrate judge.

As noted by the plaintiff,

[A] judge **may** also designate a magistrate judge to 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), of applications for posttrial [FN1] relief made by individuals convicted of criminal offenses and of prisoner petitions challenging conditions of confinement. (emphasis added).


28 U.S.C.A. § 636 (b)(1)(B).

This court will continue to refer motions and set hearings before magistrate judges at its discretion.

Upon the foregoing,

**IT IS ORDERED** that the plaintiff's January 22, 2007 Motion for a District Court Judge to Hear and Determine Pretrial Matters is denied. (docket 7).

**DATED** this 17th day of April, 2007.

  
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JOHN A. JARVEY  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF IOWA