

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT APR 29 1987

FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

MURRAY L. HARRIS, CLERK
By Joy Gardner
Deputy

ORDER REASSIGNING PRISONER CASES

Pursuant to 28 U.S.C. § 636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to the United States Magistrates, dated July 3, 1980, it is

ORDERED with respect to the cases listed on attachments 1 and 2 to this order that any previous order of referral to a United States Magistrate is RESCINDED.

It is further ORDERED that, effective immediately, the listed cases on Attachment 1 are REASSIGNED to the Honorable Judith K. Guthrie, United States Magistrate.

It is further ORDERED that, effective immediately, the listed cases on Attachment 2 are REASSIGNED to the Honorable J. Michael Bradford, United States Magistrate.

It is further ORDERED that the Honorable Judith K. Guthrie and the Honorable J. Michael Bradford are DESIGNATED: (1) to conduct an evidentiary hearing on the merits of such matters, if they deem it to be necessary; (2) to submit to the undersigned Judge their proposed findings of fact and conclusions of law; and (3) to make their recommendations for the disposition of such cases.

It is further ORDERED that the Magistrates shall file their proposed findings and recommendations with the Clerk, who shall forthwith mail a copy thereof, by certified mail (return receipt requested), to all parties of record.

It is further ORDERED that within ten (10) days after being served with such copy, a party shall serve upon any other party or parties, and shall also file with the Clerk, written objections to such proposed findings and recommendations, if any he has.

Motions for injunctive relief, for judgment on the pleadings, for summary judgment, to dismiss or to permit maintenance of a class action, to dismiss for failure to state a claim upon which relief can be granted, and to involuntarily dismiss an action shall be held in abeyance by the Magistrates and submitted to the undersigned Judge at the conclusion of the Magistrates' initial consideration of each case. Motions for temporary restraining orders shall be forwarded immediately by the Magistrates to the undersigned Judge. The Magistrates shall personally dispose of all other pre-trial motions for all prisoner suits.

It is further ORDERED that the Clerk for the Eastern District of Texas shall provide a copy of this order to all plaintiffs or petitioners in the cases affected by this order, and shall make appropriate docket sheet notations to reflect the reassignment in the court's official records.

SIGNED this 29th day of April, 1987.


WILLIAM M. STEGER
UNITED STATES DISTRICT JUDGE

ATTACHMENT 1

L-85-149-CA Lonnie Curtis v. Mrs. Marsha Singletary

L-85-156-CA Larry Donnell Rusk v. Joe Evans, et al

L-86-77-CA Larry Donnell Rusk v. Joe Evans, et al

L-87-35-CA Alejandro Wanez v. James Riley, et al

ATTACHMENT 2

L-84-233-CA Larry Donnell Rusk v. Robert Spencer, et al

L-84-234-CA Larry Donnell Rusk v. John R. Lightfoot, et al

L-85-2-CA Larry Donnell Rusk v. Nacogdoches County Officials,
et al

L-86-78-CA Larry Donnell Rusk v. Joe Evans, et al

L-86-100-CA Larry Donnell Rusk v. Joe Evans, et al

L-87-34-CA Armando M. Flores v. D. J. Dretke, et al

L-87-39-CA Ernest Milton Yarbray, Jr., et al v. D. J. Dretke