

(d) The personal BIASIS of judge Smith, is clear, and this bias is brought with the personal attempt to deny plaintiff, a fair hearing, in this case.

(e). with this BIAS of judge Smith, he has violated his oath of office (if he has one)

And can be no longer be seen as a judge of this court.

III. Plaintiff having made his objections, hereby withdraw any consent to allowing
Us district court magistrate judge M. Smith to futher exercise any judicial authority
Over the above styled case.

IV. CASE PRECEDENCE

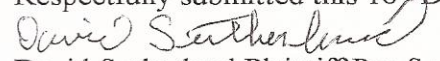
A. " The Supreme Court stated that the authority granted to magistrate judges under
The Federal Magistrate ACT is to be construed narrowly"U.S. v. Desir 257 F3d 1233,
1236 (11th cir. 2001)

B. Any party is free to withdraw consent to magistrate judges jurisdiction without adverse
Consequences, 28 U. S. C. 636 9 c) (2) , rule 73 (b), Fed. R, Civ. P. ; Anderson Venture
Ltd. 351 F3d 911, 913-14 (9th cir. 2003)

C. A decission without consent by a magistrate judge, a non- Article III judge, would
Undermind the objective of the Constitution and might violate the rights of the parties,
Willie James Clover, v. Alabama Board of Corrections et al, 660 F2d 120 (5th cir 1981).

Wherefor, the Plaintiff prays that the District Court review the "ORDERS" of the
Magistrate and Plaintiff's filings in this case de novo, and find all of thr notices notices,
And objections with merit sufficient to overturn the Magistrate's "ORDERS".

Respectfully submitted this 18th Day of December, 2012.


David Sutherland Plaintiff Pro Se
P O Box 7222
Garden City Ga. 31418