

D. It is also understood by Plaintiff, that Judges of this court have taken a oath, to defend The Constitution of The United States of Amercia, If any Judge of THIS Court has not taken THE OATH of Office please advise.

E. At issue in this case, at least, are two statutory provisions dealing with the parameters Of the magistrate;s authority to resolve certain issues, Fed. R. Civ.P. 73 and 28 U S Sec. 636.

F. Rule 73, Magistrate Judges: Trial by Consent, Appeal

(a) Trail by Consent.

When authorized under 28 U. S. C. sec. 636(c), a magistrate judge may, if all parties Consent , conduct a civil action or proceeding, including a jury or nonjury trial. A record Must be made in accordance with 28 u.s.c. sec. 636(c) (5).

(b) Consent Proceedure.

(1) In General.

When a magistrate judge has been designated to conduct civil actions or proceedings, the Clerk must give the parties written notice of their opportunity to consent under 28 U.S.C. Sec. 636 (c) . To signify their consent, the parties must jointly or separately file a Statement consenting to the referral. A district judge or a magistrate judge may be Informed of a party's response to the clerk's notice only if all parties have consented to The referral.

(2) Reminding the Partiesn of Consent.

A district judge, magistrate judge, or other court official may remind parties of the Magistrate judge's availability, but must also advise them that they are free to withhold Consent without adverse substantive consequences.