

FILED

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA **OCT 8 - 1981**

CLERK, U. S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature] DEPUTY CLERK

RE:)
)
ASSIGNMENT OF CASES TO MAGISTRATES)
PURSUANT TO SECTION 1484(d) OF)
TITLE 46 (COORDINATED NATIONAL)
BOATING SAFETY))
_____)

GENERAL ORDER NO. 107

WHEREAS, 28 U.S.C. § 636(b) authorizes the Judges of this Court to grant such additional powers and duties to the Magistrates of this Court which are not inconsistent with the Constitution and Laws of the United States, and

WHEREAS, 46 U.S.C. § 1484(d) grants United States Magistrates the power to hear and decide actions to recover civil penalties arising under the Coordinated National Boating Safety Program, 46 U.S.C. § 1451, et seq., subject to the approval of the Judges of the District Court, and

WHEREAS the Judges of this Court having determined that such matters should properly be handled by the Magistrates of this Court,

IT IS ORDERED that all Magistrates of this Court are hereby authorized to perform all the duties prescribed and authorized and to conduct all proceedings in relation to the collection and enforcement of civil penalties not in excess of \$200.00 in cases filed pursuant to 46 U.S.C. § 1484(d) and to enter judgments in connection therewith;

IT IS ORDERED that all complaints filed pursuant to Section 1484(d) of the Coordinated National Boating Safety Program shall be filed with the Clerk of the Court, assigned a civil number as provided by the Rules of this Court and, furthermore, be assigned to a Magistrate of the Court.

IT IS FURTHER ORDERED that all such proceedings shall be conducted in compliance with the Federal Rules of Civil Procedure and the Local Rules of this Court, except that the United States Coast Guard District Legal

Officer and his staff attorneys for the Twelfth Coast Guard District shall represent the United States of America, but the Attorney-in-Charge, Admiralty and Shipping Section, West Coast Office, shall retain accountability on behalf of the plaintiff for all cases filed pursuant to this Order.

IT IS FURTHER ORDERED that the judgment of the Magistrate shall be final and any appeal from such judgment shall be covered by Rule 8 of the Federal Rules of Procedure for the Trial of Minor Offenses before United States Magistrates, and such appeal shall be heard and determined by a Judge of the District Court.

DATED: October 5, 1981

Philip C. Wilkins

CHIEF UNITED STATES DISTRICT JUDGE

[Signature]

UNITED STATES DISTRICT JUDGE

[Signature]

UNITED STATES DISTRICT JUDGE

[Signature]

UNITED STATES DISTRICT JUDGE

Edward W. [Signature]

UNITED STATES DISTRICT JUDGE