

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

IN RE: DESIGNATION OF THE
JURISDICTION OF THE MAGISTRATE
JUDGE FOR THE DISTRICT OF
SOUTH DAKOTA, NORTHERN DIVISION

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STANDING ORDER

Pursuant to 28 U.S.C. § 636(b)(1)(A), I hereby specially designate to Magistrate Judge William D. Gerdes the jurisdiction:

to hear and determine any pretrial matter pending before the court, except a motion for injunctive relief, for judgment on the pleadings, for summary judgment, to dismiss or quash an indictment or information made by the defendant, to suppress evidence in a criminal case, to dismiss or to permit maintenance of a class action, to dismiss for failure to state a claim upon which relief may be granted, and to involuntarily dismiss an action.

Further, and pursuant to 28 U.S.C. § 636(b)(1)(B), upon referral by the district court, I hereby specially designate to Magistrate Judge William D. Gerdes the jurisdiction to conduct hearings, including evidentiary hearings, and to submit proposed findings of fact and recommendations to the district court judge for the disposition of any motion (except those described in 28 U.S.C. § 636(b)(1)(A)), and of applications for post trial relief made by individuals convicted of criminal offenses and of prisoner petitions challenging conditions of confinement. This grant of jurisdiction to the magistrate judge includes resolution of social security disability appeals.

Further, pursuant to 28 U.S.C. § 636(a)(3) and (a)(4) and 18 U.S.C. § 3401(a), I hereby specially designate to Magistrate Judge William D. Gerdes the jurisdiction to try persons accused of and sentence persons convicted of petty offenses (Infractions, Class C misdemeanors, and Class B misdemeanors) committed within the District of South Dakota. Further, pursuant to 28 U.S.C. § 636(a)(5) and 18 U.S.C. § 3401(b), I also designate Magistrate Judge William D. Gerdes to try persons accused of and sentence persons convicted of non-petty offenses (Class A) misdemeanors committed within the District of South Dakota if the parties sign a written consent

to be tried before the magistrate judge, which consent specifically waives trial before, and judgment and sentencing by, a district court judge.

Further, pursuant to 18 U.S.C. § 3401(I), I hereby specially designate Magistrate Judge William D. Gerdes to conduct hearings to modify, revoke, or terminate supervised release, including evidentiary hearings, and to submit to the district court judge proposed findings of fact and recommendations for such modification, revocation, or termination by the district court judge.

Further pursuant to 28 U.S.C. § 636(c)(1), upon written consent of the parties, I hereby specially designate Magistrate Judge William D. Gerdes to conduct any and all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case.

Pursuant to 28 U.S.C. § 636(b)(2) and the applicable Federal Rules of Civil Procedure (without regard to the provisions of Rule 53(b)) and upon consent of the parties, I hereby specially designate Magistrate Judge William D. Gerdes to serve as a special master in appropriate civil actions.

Pursuant to 28 U.S.C. § 636(b)(3), upon written consent of the parties, I hereby specially designate Magistrate Judge William D. Gerdes to preside over allocution and change of plea proceedings in felony criminal cases. The magistrate judge shall submit his proposed recommendation to the district court for *de novo* review.

Pursuant to 28 U.S.C. § 636(b)(3), Magistrate Judge William D. Gerdes shall perform such additional duties as may now or hereafter be assigned by the district court, which duties shall not be inconsistent with the Constitution and laws of the United States.

Dated this 10th day of April, 2009.

BY THE COURT:

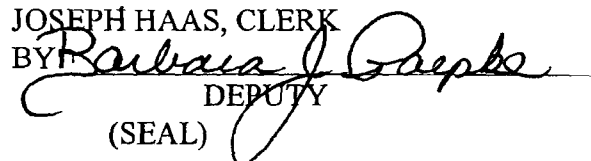


CHARLES B. KORNMANN
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY:



DEPUTY
(SEAL)