

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

FILED
RICHARD W. NAGEL
CLERK OF COURT

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U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST DIV. COLUMBUS

In Re:

**ASSIGNMENT AND REFERENCE OF :
PRISONER CASES TO MAGISTRATE JUDGES : GENERAL ORDER 22-05
IN THE SOUTHERN DISTRICT OF OHIO :**

On December 10, 2021, the District Judges adopted the recommendations made by the Magistrate Judge Workload Committee in its November 10, 2021 Report. This General Order is entered to implement those recommendations as they pertain to cases filed by imprisoned litigants.

- (1) Habeas Corpus Cases:** All non-capital cases filed on or after February 1, 2022, and seeking relief under 28 U.S.C. § 2241 or § 2254 shall be assigned to a District Judge resident at the seat of court where the case is filed and randomly assigned to one of the District's full-time Magistrate Judges or to recalled Magistrate Judge Michael R. Merz. Each such case is hereby referred to the assigned Magistrate Judge for all purposes including deciding any matters classified by law as non-dispositive and filing a report and recommendation on all matters classified by law as dispositive.
- (2) Cases Under 28 U.S.C. § 2255:** Cases seeking relief under 28 U.S.C. § 2255 shall not, on or after February 1, 2022, be referred to a United States Magistrate Judge. Cases under 28 U.S.C. § 2255 that have been referred to a Magistrate Judge prior to February 1, 2022, shall continue to be referred unless the assigned District Judge withdraws the reference.
- (3) Pro Se Prisoner Civil Rights Cases:** All civil rights cases file *pro se* by imprisoned litigants on or after February 1, 2022, shall be assigned randomly to one of the District Judges resident at the seat of court where the case is filed and randomly to one of the District's full-time Magistrate Judges. Each such case is hereby referred to the assigned Magistrate Judge for all purposes including deciding any matters classified by law as non-dispositive and filing a report and recommendation on all matters classified by law as dispositive.


The Magistrate Judge reference in all civil rights cases file *pro se* by imprisoned litigants and pending on February 1, 2022, shall be randomly transferred to another full-time

Magistrate Judge as needed to evenly balance the number of such references among the full-time Magistrate Judges, provided that no such reference shall be transferred in any case which (1) has a dispositive report and recommendation pending on that date or (2) which has a pending motion which would be reportable under the Civil Justice Reform Act if undecided by March 31, 2022.

(4) Effective Date: This General Order shall be effective February 1, 2022.

IT IS SO ORDERED.

DATED: January 28, 2022


ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE