

**FILED**

**NOV 15 2023**

**IN THE UNITED STATES DISTRICT COURT CLERK, U.S. DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE**

**IN RE: CASE ASSIGNMENTS ) Administrative Order No. 367**

**ADMINISTRATIVE ORDER**

To ensure the Court's docket is handled efficiently and expeditiously and as part of the district's ongoing effort to equalize the distribution of cases, in accordance with 28 U.S.C. § 137, effective November 15, 2023, the work of the Court shall be distributed as follows.

All new East St. Louis criminal cases shall be divided among Chief Judge Nancy J. Rosenstengel, District Judge David W. Dugan, and District Judge Stephen P. McGlynn equally at 30 percent each. District Judge Staci M. Yandle shall receive 10 percent of these assignments.

All new civil filings requesting the imposition of a temporary restraining order or a preliminary injunction shall be assigned to a district judge in an equal manner.

Newly filed non-prisoner *pro se* civil cases, forfeiture and seizure cases (Nature of Suit Codes 625 and 690), foreclosure cases (Nature of Suit Code 220), and habeas corpus cases (Nature of Suit Codes 463, 510, 530 and 535) will be assigned exclusively to district judges. Chief Judge Nancy J. Rosenstengel and Senior District Judge J. Phil Gilbert shall be assigned 30 percent each of these cases, while the remaining 40 percent shall be assigned to District Judges Staci M. Yandle, Stephen P. McGlynn, and David D. Dugan equally.

As indicated in Administrative Order No. 347, each party in newly filed non-prisoner *pro se* civil cases and habeas corpus cases will be sent a Notice and Consent to Proceed Before a Magistrate Judge Jurisdiction form regarding consenting to the jurisdiction of one of the district's three magistrate judges, with applicable deadlines. If a non-prisoner *pro se* civil case or habeas corpus case survives threshold review and if all parties consent to the magistrate judge's jurisdiction, the case will be randomly assigned to a magistrate judge for all further proceedings consistent with 28 U.S.C. § 636(c). If a party declines to consent, the case will remain with the presiding district judge. At the district judge's discretion, a motion or matter may be specifically referred to the previously assigned magistrate judge or a special master in accordance with 28 U.S.C. §§ 636(b)(1)-(3) and Federal Rule of Civil Procedure 53. Subsequent consents by all parties to the jurisdiction of a magistrate judge will not be accepted.

No changes shall be made to the assignment of social security cases or prisoner cases as set forth in this Court's Administrative Orders 347 and 350.

All other non-prisoner civil cases shall be assigned to Chief Judge Nancy J. Rosenstengel and Senior District Judge J. Phil Gilbert as well as the district's magistrate judges. Chief Judge Rosenstengel and Senior District Judge Gilbert shall be assigned 20 percent each of these cases, while the remaining 60 percent shall be assigned to the district's magistrate judges equally. As with other cases assigned directly to a magistrate judge, upon entry into a case, each party will be sent a Notice and Consent to Proceed Before a Magistrate Judge Jurisdiction form regarding consenting to the jurisdiction of one of the district's three magistrate judges. Each party will be given 21 days to file the

completed form indicating *consent* or *non-consent* to the jurisdiction of the assigned magistrate judge conducting all proceedings, including trial and entry of final judgment in accordance with 28 U.S.C. § 636(c). Upon the consent of all parties in a case, the case and jurisdiction will remain with the magistrate judge assigned to the case. If all parties do not consent to the magistrate judge's jurisdiction, the case will be randomly assigned to a district judge for all further proceedings. At the district judge's discretion, a motion or matter may be specifically referred to the previously assigned magistrate judge or a special master in accordance with 28 U.S.C. §§ 636(b)(1)-(3) and Federal Rule of Civil Procedure 53. Subsequent consents by all parties to the jurisdiction of a magistrate judge will not be accepted.

The following administrative orders regarding case assignments remain in effect:

- Amended Administrative Order No. 257 regarding the inclusion of magistrate judges in the preliminary civil case distribution for purposes of soliciting consents under 28 U.S.C. § 636(c);
- Administrative Order No. 289 regarding Paraquat products cases;
- Administrative Order No. 311 regarding asbestos cases;
- Administrative Order No. 330 regarding cases against Honeywell Industries;
- Administrative Order No. 321 regarding case assignments to the Honorable J. Phil Gilbert, Senior United States District Judge;
- Administrative Order No. 339 regarding case assignments.
- Administrative Order No. 350 regarding case assignments.

This Administrative Order modifies in part Administrative Order Nos. 277 regarding case assignments.

This Administrative Order modifies in part Administrative Order No. 347 regarding case assignments.

**IT IS SO ORDERED.**

**DATED: November 15, 2023**

A handwritten signature in black ink, reading "Nancy J. Rosenstengel". The signature is written in a cursive style with a large, looped initial "N".

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**NANCY J. ROSENSTENGEL**  
**Chief U.S. District Judge**