

**FILED**

OCT 17 2018

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

In the matter of )  
 )  
REAPPOINTMENT OF FULL-TIME )  
UNITED STATES MAGISTRATE )  
JUDGE MITCHELL D. DEMBIN )  
\_\_\_\_\_ )

General Order No. 681

The Court declares its desire to consider the reappointment of Magistrate Judge Mitchell D. Dembin as a full-time United States Magistrate Judge for an additional period of eight (8) years, commencing on March 18, 2019. For that purpose, the attached notice will be published in the San Diego Union Tribune, a general local newspaper. Notice will also be published on the Court's website and distributed to the bar through CM/ECF.

In accordance with the requirements of § 420.60 *et seq.* of the Regulations of the Judicial Conference of the United States Establishing Standards and Procedures for the Appointment and Reappointment of United States Magistrate Judges, the Court appoints the following persons to serve as a Merit Selection Panel:

- Joe Leventhal, Chair
- George Aguilar
- Nadia Bermudez
- Jami Ferrara
- Dave Fox
- Peter Mazza
- Michele A. McKenzie
- Hon. Randa Trapp
- Arlene Yang
- Jay Campbell (Non-Lawyer)
- Shelley Zimmerman (Non-Lawyer)

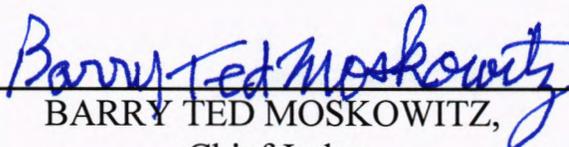
All of the Merit Selection Panel members have received written notice of the restriction in § 420.30.20(d) of the Regulations of the Judicial Conference of the United States Establishing Standards and Procedures for the Appointment and Reappointment of United States Magistrate Judges, which states the following:

- (d) Restrictions on Merit Selection Panel Members
  - (1) In order for a former merit selection panel member to be considered for a magistrate judge position, one year must have elapsed between the application deadline for the position and the earlier of:
    - (A) The date when the panel on which the former member served submitted its report to the court, or
    - (B) The date when the former member resigned from the panel.
  - (2) This restriction applies to a former member of a merit selection panel for the appointment or reappointment of a U.S. magistrate judge.
  - (3) The Judicial Conference Committee on the Administration of the Magistrate Judges System (Magistrate Judges Committee) is authorized to grant waivers to this provision on an individual case basis.
    - (A) Requests for waivers should be submitted to the Magistrate Judges Committee by the chair of the merit selection panel that is recommending candidates for the magistrate judge position for which the former panel member seeks to apply.
    - (B) In its evaluation of a request for a waiver, the Magistrate Judges Committee may consider any factor it deems relevant, including, but not limited to:
      - (i) the foreseeability of a subsequent magistrate judge position at the time of the former merit selection panel member's serve on the panel;
      - (ii) the size of the applicant pool for the subsequent position;
      - (iii) whether the panel member served on a standing panel;
      - (iv) whether a waiver would advance the goal of achieving diversity in the applicant pool; and
      - (v) any geographical concerns.

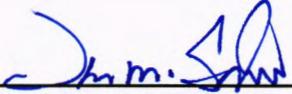
The Merit Selection Panel will review the incumbent's current service as a Magistrate Judge and other experience, as well as comments from members of the bar and public, and other evidence of the incumbent's good character, ability, and commitment to equal justice under the law. The Merit Selection Panel will provide to the Court in confidence, on or before January 7, 2019, a report stating whether the incumbent is recommended for reappointment.

**IT IS SO ORDERED.**

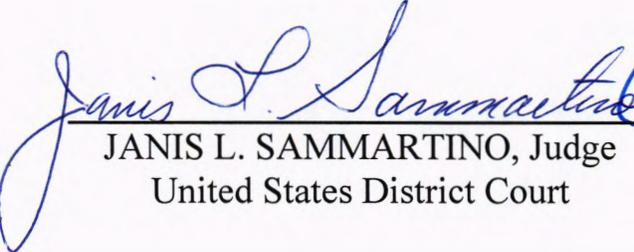
Dated: October 17, 2018

  
BARRY TED MOSKOWITZ,  
Chief Judge  
United States District Court

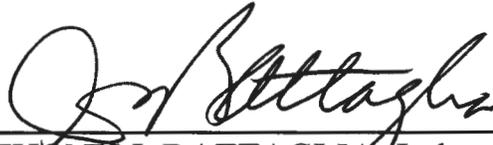
*see attached*  
LARRY A. BURNS, Judge  
United States District Court

  
DANA M. SABRAW, Judge  
United States District Court

*see attached*  
WILLIAM Q. HAYES, Judge  
United States District Court

  
JANIS L. SAMMARTINO, Judge  
United States District Court

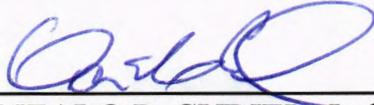
  
MICHAEL M. ANELLO, Judge  
United States District Court



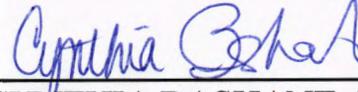
ANTHONY J. BATTAGLIA, Judge  
United States District Court



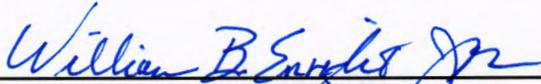
CATHY ANN BENCIVENGO, Judge  
United States District Court



GONZALO P. CURIEL, Judge  
United States District Court



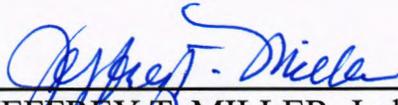
CYNTHIA BASHANT, Judge  
United States District Court



WILLIAM B. ENRIGHT, Judge  
United States District Court

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MARILYN L. HUFF, Judge  
United States District Court



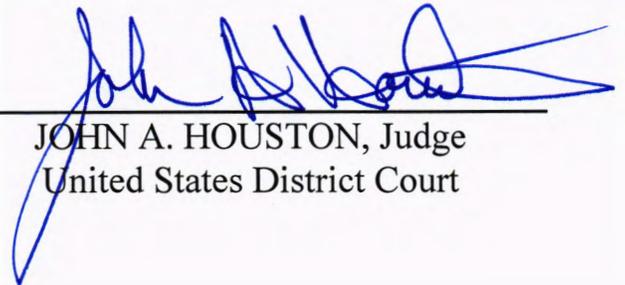
JEFFREY T. MILLER, Judge  
United States District Court



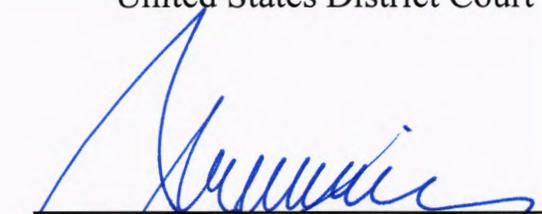
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United States District Court

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M. JAMES LORENZ, Judge  
United States District Court



JOHN A. HOUSTON, Judge  
United States District Court



ROGER T. BENITEZ, Judge  
United States District Court

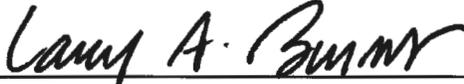
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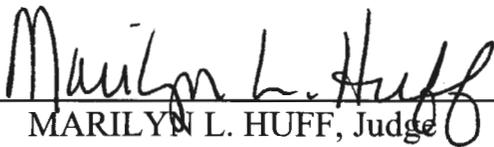
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FULL PUBLIC NOTICE  
FOR REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current term of the office of United States Magistrate Judge Mitchell D. Dembin is due to expire on March 17, 2019. The United States District Court for the Southern District of California is required by law to establish a panel of citizens to consider the reappointment of magistrate judges to new eight-year terms.

The duties of a magistrate judge include the following: (1) to conduct most preliminary proceedings in criminal cases; (2) to preside over trial and disposition of misdemeanor cases; (3) to conduct discovery and settlement matters in civil cases, (4) to preside over trial and disposition of civil cases upon consent of the litigants, and (5) to perform such other duties as may be assigned by the district court in accordance with applicable laws.

Comments from members of the bar and public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the Court. All comments will be held in confidence, and the identity of those who submit comments will not be made known to the incumbent magistrate judge. Comments should be directed in writing to Joe Leventhal at Dinsmore & Shohl LLP, 655 West Broadway, Suite 800, San Diego, CA 92101. Comments must be received by November 26, 2018.