

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 16 2018

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

WILLIE BOLDS,

Plaintiff-Appellant,

v.

J. CAVAZOS, Chief Warden; et al.,

Defendants-Appellees.

No. 16-15592

D.C. No. 1:12-cv-01754-BAM

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Barbara McAuliffe, Magistrate Judge, Presiding

Submitted April 11, 2017**

Before: GOULD, CLIFTON, and HURWITZ, Circuit Judges.

California state prisoner Willie Bolds appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging procedural due process violations. We have jurisdiction under 28 U.S.C. § 1291. We review de novo whether the magistrate judge validly entered judgment on behalf of the district

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

court. *Williams v. King*, 875 F.3d 500, 502 (9th Cir. 2017). We vacate and remand.

Bolds consented to proceed before the magistrate judge. *See* 28 U.S.C. § 636 (c). The magistrate judge then screened and dismissed Bolds's action before the named defendants had been served. *See* 28 U.S.C. §§ 1915A, 1915(e)(2)(B)(ii). Because all parties, including unserved defendants, must consent to proceed before the magistrate judge for jurisdiction to vest, *Williams*, 875 F.3d at 503-04, we vacate the magistrate judge's order and remand for further proceedings.

VACATED and REMANDED.