

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

LOURDES MATSUMOTO,  
NORTHWEST ABORTION ACCESS  
FUND, and INDIGENOUS IDAHO  
ALLIANCE,

Plaintiffs,

v.

RAÚL LABRADOR, in his capacity as  
the Attorney General for the State of  
Idaho,

Defendant.

Case No. 1:23-cv-00323-DKG

**ORDER**

Before the Court are a Motion for Relief and a Motion to Stay filed by Right to Life of Idaho, Inc. (RLI), an entity not named as a party in this action. (Dkt. 109, 110).<sup>1</sup> The motions seek relief under Federal Rule of Civil Procedure 72(a) and Local Civil Rule 72.1(b)(1), objecting to the Court's Order denying in part RLI's Motion to Quash Subpoena.

Both Rule 72(a) and Local Civil Rule 72.1(b) apply to pretrial orders on non-dispositive matters issued by a magistrate judge to whom the matter was referred under 28 U.S.C. § 636(b). Here, however, the parties have consented to the jurisdiction of a magistrate judge under 28 U.S.C. § 636(c)(1), which provides: “[u]pon the consent of the

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<sup>1</sup> The Court enters this order without waiting for a response or briefing from the parties because no further briefing is needed given the ruling herein, and in the interests of expediency, economy, and efficiency. Fed. R. Civ. P. 1.

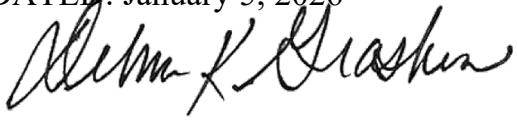
parties,” a magistrate judge “may conduct any or all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case.” (Dkt. 26). Section 636(c) requires the consent only of the parties in a case, the lack of nonparty consent does not destroy a magistrate judge’s jurisdiction under § 636(c). *See e.g. Solan v. Chappell*, 2013 WL 6839433, at \*1 n. 3 (C.D. Cal. Dec. 27, 2013) (discussing consent under § 636(c)). Therefore, Rule 72(a) and Local Civil Rule 72.1(b) do not apply here and are not bases or mechanisms for the relief sought by RLI. *See e.g., Steshenko v. Board of Trustees of Foothill-De Anza Community Col. Dist.*, 2025 WL 1404003, at \*1 (N.D. Cal. April 17, 2025).<sup>2</sup> For this reason, the motions will be denied.

## ORDER

THEREFORE IT IS HEREBY ORDERED that the Motion for Relief and Motion to Stay (Dkt. 109, 110) are **DENIED**.



DATED: January 5, 2026

  
Honorable Debora K. Grasham  
United States Magistrate Judge

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<sup>2</sup> The cases cited by RLI are inapposite as they involved objections by nonparties to decisions issued by the magistrate judge on referral, not where the magistrate judge was presiding over the case with the consent of all parties under 28 U.S. C. § 636(c). (Dkt. 109-1).