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Attornatus Privatus
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8. UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
9.

10. Daniel Adam Borsotti,) Case No.: CV 16-7603-FMO (JCx)
11. Claimant,) ORDER
12. vs.) MAGISTRATE'S DUTY ASSIGNMENT
13. Quality Loan Services)
14. Corporation)
15. Defendants.)

16. LAW OF THE CASE
17.

18. 1. Claimant's Exhibit 17, *LAW OF THE CASE*, is incorporated by
reference as though fully stated herein.

19. 2. Title 28, United States Code, Sec. 132 mandates that the
20. United States District Court shall be a court of record. ¹

21. MAGISTRATE'S DUTIES

22. 3. The ministerial Magistrate ² may not make any rulings on

23. ¹ (a) There shall be in each judicial district a district court which shall be a court of record known as the United
States District Court for the district. 28 U.S. Code § 132

24. ² NOTE: All judges and justices are magistrates.

25. The following persons are magistrates: ...The judges of the superior
courts.... [California Penal Code, Sec. 808].

26. MAGISTRATE. An official entrusted with administration of the laws.
Merriam-Webster On-Line Dictionary

27. MAGISTRATE. Person clothed with power as a public civil officer. State
ex rel. Miller v. McLeod, 142 Fla. 254, 194 So. 628, 630. Black's Law
Dictionary, 4th Ed., 1103

1. anything before the court. That function is reserved to the
2. tribunal in order to preserve the integrity of the structure of
3. the court of record, namely that the tribunal is independent of
4. the magistrate.³

5. CONDUCT OF HEARINGS

6. 4. After any hearing the magistrate shall neither render nor
7. write any decision, but in accordance with the procedures of a
8. court of record, may announce that, "The court will take the
9. decision under advisement." The court will thereafter effect
10. the decision.

11. THE COURT

12. SEAL

13. by _____
14. Daniel Borsotti
15. Attornatus Privatus

16. MAGISTRATE. A public officer belonging to the civil organization of the
17. state, and invested with powers and functions which may be either judicial,
18. legislative, or executive. *Martin v. State*, 32 Ark. 124; *Ex parte White*, 15
19. Nev. 146, 37 Am.Rep. 466; *State v. Allen*, 83 Fla. 655, 92 So. 155, 156;
20. *Merritt v. Merritt*, 193 Iowa 899, 188 N.W. 32, 34. *Black's Law Dictionary*,
21. 4th Ed., 1103

22. ³ COURT OF RECORD: A judicial tribunal having attributes and exercising
23. functions independently of the person of the magistrate designated generally
24. to hold it [*Jones v. Jones*, 188 Mo.App. 220, 175 S.W. 227, 229; *Ex parte*
25. *Gladhill*, 8 Metc. Mass., 171, per Shaw, C.J. See, also, *Ledwith v. Rosalsky*,
26. 244 N.Y. 406, 155 N.E. 688, 689][*Black's Law Dictionary*, 4th Ed., 425, 426]