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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JAMES RASBERRY,

Plaintiff,

v.

A. TREVINO, et al.,

Defendants.

CASE NO. 1:08-cv-01767-OWW-SMS PC

ORDER GRANTING DEFENDANT’S MOTION  
FOR LEAVE TO DEPOSE PLAINTIFF BY  
REMOTE MEANS

(ECF No. 39)

Plaintiff James Rasberry (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on the first amended complaint filed March 2, 2010, against Defendants Trevino and Miguel for excessive force in violation of the Eighth Amendment and Defendant Trevino for a violation of the Equal Protection Clause. This action is currently in the discovery stage, and on June 23, 2011, Defendants filed a motion seeking leave to depose Plaintiff by video conference or telephone. Fed. R. Civ. P. 30(b)(4).

Good cause having been shown, Defendants’ motion is **HEREBY GRANTED**.

**IT IS SO ORDERED.**

**Dated: June 24, 2011**

**/s/ Sandra M. Snyder**  
**UNITED STATES MAGISTRATE JUDGE**