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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

BRANDON L. SHERMAN,

CASE NO. 1:09-cv-00420-LJO-GBC PC

Plaintiff,

ORDER DENYING PLAINTIFF’S MOTION  
TO REVIEW AND AMEND STATEMENTS  
MADE IN PLAINTIFF’S DEPOSITION

v.

F. GONZALES, et al.,

(Doc. 68)

Defendants.

\_\_\_\_\_ /

Plaintiff Brandon L. Sherman (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On July 26, 2011, Plaintiff filed a motion requesting that the Court to allow Plaintiff to review the transcript of his deposition in order to amend statements he made in the deposition. (Doc. 68). On August 9, 2011, Defendants filed an opposition. (Doc. 70).

According to Rule 30 of the Federal Rules of Civil Procedure:

On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which: to review the transcript or recording; and if there are changes in form or substance, to sign a statement reciting such changes and the reasons given by the deponent for making them.

Fed. R. Civ. Pro. 30(e). Plaintiff’s deposition took place February 23, 2011. (Doc. 66-4). Only after Defendants filed a cross-motion for summary judgment containing excerpts from the deposition does Plaintiff seek to amend his statements in the deposition. The time in which Plaintiff had to review and amend statements in the deposition has long passed and Plaintiff does not provide any

1 compelling argument as to why his motion should be granted. Based on the foregoing, the Court  
2 hereby orders that Plaintiff's motion filed on July 26, 2011, is DENIED. (Doc. 68).

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4 IT IS SO ORDERED.

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Dated: August 19, 2011

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UNITED STATES MAGISTRATE JUDGE

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