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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

LARRY BURY,

Plaintiff,

v.

KEN CLARK, et al.,

Defendants.

CASE NO. 1:10-cv-00196-DLB PC

ORDER GRANTING PLAINTIFF’S MOTION  
FOR LEAVE TO DEPOSE INMATE

(DOC. 43)

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Plaintiff Larry Bury (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation, proceeding in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendants E. Williams and Moto for deliberate indifference in violation of the Eighth Amendment. Parties are represented by counsel in this action.

On May 7, 2012, Plaintiff filed a request for leave to depose Robert Dwayne Murray, a prisoner in the custody of CDCR. Defendants filed a statement of non-opposition to Plaintiff’s motion.

Pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure, a party must obtain leave of the Court to depose a deponent confined in prison. Leave will be granted.

Accordingly, it is HEREBY ORDERED that:

1. Plaintiff’s motion for leave to depose Robert Dwayne Murray, a prisoner in the custody of CDCR, is granted;

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2 Plaintiff's request that the Warden of the California Institution for Men, at 14901 Central Avenue, Chino, California 91710 (or of any correctional facility to which Robert Dwayne Murray, a prisoner, CDCR No. F43334, may be/have been transferred), be directed to produce Robert Dwayne Murray, at a place designated by said Warden within the confines of the California Institution for Men, at 14901 Central Avenue, Chino, California 91710, on June 6, 2012, or on another date and time convenient to counsel for the parties and said Warden, is hereby GRANTED. At such time, Robert Dwayne Murray will be deposed by counsel for Plaintiff Larry Bury before a notary public or some other officer authorized to administer oaths by the laws of the United States or of the State of California, in accordance with the provisions of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

**Dated: May 22, 2012**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE