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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BERNARD MARTINEZ,  
Plaintiff,  
v.  
DR. L. A. DELIO, et al.,  
Defendants.

Case No. 1:11-cv-01088-LJO-MJS (PC)  
ORDER DENYING AS MOOT  
DEFENDANTS' REQUEST FOR LEAVE  
TO TAKE DEPOSITION  
(ECF No. 68)

Plaintiff is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter proceeds against Defendants Martha Ruiz, Sonia Martinez, and Nguyen on claimed medical indifference.<sup>1</sup>

Before the Court is Defendants Martha Ruiz and Sonia Martinez's request for leave to take deposition of person confined in prison. (ECF No. 68.)

The Court's September 4, 2014 Discovery and Scheduling Order granted Defendants permission to take the deposition of Plaintiff and any other witness confined in prison . (ECF No. 54.)

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<sup>1</sup> It appears Defendant Nguyen has not been served.

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Accordingly, Defendants' request is DENIED as moot.

IT IS SO ORDERED.

Dated: February 27, 2015

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE