

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

**STEVEN R. MILLER,**

**Plaintiff,**

**v.**

**ALBERT NAJERA, et al.,**

**Defendants.**

**1:12-cv-01288-LJO**

**MEMORANDUM DECISION AND  
ORDER DENYING REQUEST FOR  
DEPOSITION (Doc. 72)**

11  
12  
13  
14  
15  
16  
17  
18  
19

Pro se Plaintiff Steven Miller brings this case alleging failure to protect and deliberate indifference under the Eighth and Fourteenth Amendments. On September 7, 2017, Plaintiff filed the instant motion for leave to depose Defendant Margaret Mims. CM/ECF Document No. ("Doc.") 72. On September 8, 2017, Defendants filed an opposition by and through counsel. Doc. 73. Plaintiff did not file a reply within the seven days provided under Local Rule 230(l) and the motion is deemed submitted. Plaintiff filed a similar motion for post-discovery deposition, which the Court denied as untimely and which is incorporated here by reference. Doc. 71. The discovery deadline in this case has passed and Plaintiff has not shown any good cause to reopen discovery. Plaintiff's motion is therefore DENIED.

20  
21

IT IS SO ORDERED.

Dated: September 19, 2017

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE