IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDREW RICK LOPEZ,

Plaintiff, No. CIV S-09-1760 MCE GGH P

vs.

ARNOLD SCHWARZENEGGER, et al.,

Defendants. ORDER

_____/

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. Pending before the court is defendants' motion to take plaintiff's deposition by way of video conferencing from Corcoran State Prison in order to save the costs of defendants' counsel's travel expenses and because the CDCR,[1] for its part, is currently under stringent financial constraints limiting travel expenditures. Unfortunately, however, court staff has been informed that Corcoran's video conferencing system is now broken and must have repairs to become functional. Moreover, there is evidently no money available at this time, due to the CDCR budget constraints referenced by defendants, to make the requisite repairs. Therefore, there appears to be no alternative for defendants' counsel for the taking of plaintiff's deposition

[1] California Department of Corrections and Rehabilitation.

other than to travel to the institution of his incarceration.

Accordingly, IT IS ORDERED that defendants' motion to conduct plaintiff's deposition by way of video-conferencing from Corcoran State Prison, filed on October 21, 2011 (docket # 104), must be denied.

DATED: October 24, 2011

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

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