

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01501-PAB-KLM

CARLO CELANI,

Plaintiff,

v.

MARK EHRLE, Aurora Police Dept.,  
ADAM NEUMEYER, Aurora Police Dept., and  
JOHN DOES 1-5, Aurora Police Dept.,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Defendants' **Motion for Leave to Depose Plaintiff Carlo Celani** [Docket No. 39; Filed March 16, 2010] (the "Motion").

Defendants request permission to depose Plaintiff. Plaintiff is incarcerated in Crowley County Correctional Facility. Pursuant to Fed. R. Civ. P. 30(a)(2)(B), a party must obtain leave of the Court to take a deposition if the deponent is incarcerated, and the Court must grant leave when such a deposition is consistent with Fed. R. Civ. P. 26(b)(2). The Court concludes that the deposition is consistent with Rule 26(b)(2). Accordingly,

**IT IS HEREBY ORDERED** that the Motion is **GRANTED**. Defendants may take the deposition of Plaintiff at Crowley County Correctional Facility.

Dated: March 22, 2010