

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02677-CMA-MEH

LARRY C. MILLER,

Plaintiff,

v.

CAPTAIN KASTELIC,  
DANIEL REIMER, and  
LT. RIDGWELL,

Defendants.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on April 30, 2013.**

Defendant Kastelic's and Ridgwell's Motion to Allow Plaintiff's Deposition Pursuant to C.R.C.P. 30(A)(2)(D) [filed April 29, 2013; docket #61] is **granted in part and denied in part** as follows. Although Defendants move under the Colorado Rules of Civil Procedure, the Court considers their motion under the Federal Rules of Civil Procedure. Fed. R. Civ. P. 30(a)(2)(B) requires a party to obtain leave of court to depose a person confined in prison. As Plaintiff is currently incarcerated at Fremont Correctional Facility in Canon City, Colorado, Defendants properly seek permission from the Court to conduct Plaintiff's deposition. Accordingly, the Court grants Defendants' Motion under Fed. R. Civ. P. 30(a)(2)(B).