

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DRAKE J. CAGE,

Plaintiff,

CIVIL ACTION NO. 08-13731

vs.

DISTRICT JUDGE PATRICK J. DUGGAN  
MAGISTRATE JUDGE DONALD A. SCHEER

MS. TUTTLE, et.al.,

Defendants.

ORDER GRANTING DEFENDANTS' MOTION TO ALLOW THE TAKING OF  
PLAINTIFF'S DEPOSITION IN PRISON AND DENYING PLAINTIFF'S RENEWED  
MOTION FOR APPOINTMENT OF COUNSEL

This cause comes before the Court on Defendants' Motion to Allow the Taking of Plaintiff's Deposition in Prison, dated January 14, 2009 (Docket #20). Defendants' Motion is GRANTED. Plaintiff's Renewed Motion for Appointment of Counsel, dated February 2, 2009 (Docket #22), is DENIED. In an Order denying Plaintiff's earlier Application for Appointment of Counsel, dated December 5, 2008 (Docket #13), the court ruled that any appointment of counsel in this case was premature until the viability of Plaintiff's case was determined. If this case survives summary judgment, Plaintiff can seek appointment of counsel.

The Court is returning to Plaintiff a motion that was not filed with the Clerk's Office, but was instead mailed directly to chambers. Plaintiff is hereby Ordered to file all future motions and pleadings with the Clerk's Office, with copies to opposing counsel and the magistrate judge, as outlined in the local court rules.

SO ORDERED.

s/Donald A. Scheer  
DONALD A. SCHEER  
UNITED STATES MAGISTRATE JUDGE

DATED: March 2, 2009

## CERTIFICATE OF SERVICE

I hereby certify on March 2, 2009 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on March 2, 2009: **Drake Cage**.

s/Michael E. Lang  
Deputy Clerk to  
Magistrate Judge Donald A. Scheer  
(313) 234-5217