

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LAVELLE SEARCY, *et al.*,
Plaintiffs,

Civil Action No.: 10-11242
Honorable Denise Page Hood
Magistrate Judge Elizabeth A. Stafford

v.

MACOMB COUNTY JAIL,
et al.,

Defendants.

ORDER GRANTING MOTION TO TAKE DEPOSITION [R. 271]

This matter is before the court on defendant Macomb County's motion to take the deposition of plaintiff LaVelle Searcy [R, 271]. Searcy, an inmate housed at the Central Michigan Correctional Facility, brings this action under 42 U.S.C. § 1983, claiming a violation of his rights under the United States Constitution [R. 149]. As part of discovery, Macomb County moves under Federal Rule of Civil Procedure 30(a)(2) for permission to arrange a date with the Michigan Department of Corrections to depose Searcy, and Searcy has not filed an objection.

Rule 30(a)(2) states that a party must seek leave of the court to depose a person "confined in prison." "Generally, this court grants leave for such depositions freely, as long as the deposition can be conducted without undue imposition on prison authorities." *El Camino Resources, Ltd.*

v. Huntington Nat'l Bank, No. 07-598, 2009 U.S. Dist. LEXIS 36704, 2009 WL 1228680, at *1 (W.D. Mich. Apr. 30, 2009). Thus, the court **GRANTS** Macomb County's motion to take Searcy's deposition at a date and time that is convenient to the Central Michigan Correctional Facility. **[R. 271]**.

IT IS SO ORDERED.

Dated: June 1, 2015
Detroit, Michigan

s/Elizabeth A. Stafford
ELIZABETH A. STAFFORD
United States Magistrate Judge

NOTICE TO THE PARTIES REGARDING OBJECTIONS

The parties' attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under 28 U.S. C. §636(b)(1).

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 1, 2015.

s/Marlena Williams
MARLENA WILLIAMS
Case Manager