

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ANNABEL,

Plaintiff,

v.

JACK FROST, ET AL.,

Defendants.

No. 14-10244

District Judge Arthur J. Tarnow
Magistrate Judge R. Steven Whalen

ORDER

Before the Court is Plaintiff's motion to strike Defendants' motion to take his deposition [Doc. #85].

Plaintiff filed a lawsuit, claiming retaliation by the Defendants, in violation of the First Amendment. Any defendant, including these Defendants, get to depose a plaintiff. Because Plaintiff is incarcerated, leave of the court is required to take his deposition. Fed.R.Civ.P. 30(a)(2). On July 25, 2017, I granted Defendants' motion for leave to take Plaintiff's deposition [Doc. #106]. Apart from the fact that Plaintiff's motion is moot, there was no basis to have stricken the Defendants' motion for leave in the first place.

Accordingly, Plaintiff's motion to strike [Doc. #85] is DENIED.

IT IS SO ORDERED.

s/R. Steven Whalen

R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: July 30, 2017

CERTIFICATE OF SERVICE

I hereby certify on July 30, 2017, 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 non-registered ECF participants on July 30, 2017.

s/Carolyn Ciesla
Case Manager to
Magistrate Judge R. Steven Whalen