

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

MEMORANDUM AND ORDER

Plaintiff, an inmate at Southeast Correctional Center (“SECC”), brings this action pursuant to 42 U.S.C. § 1983. Presently pending is Defendants’ Motion to Take Second Deposition. [Doc. # 61].

On October 27, 2014, Defendants filed a Motion to Take Second Deposition, in which they request leave pursuant to Rule 30 to take the deposition of Plaintiff Larry L. Hopkins on November 7, 2014, at 10:30 a.m., in regard to allegations against Defendant Paula Phillips. Defendants state that Plaintiff amended his Complaint to add Defendant Philips after they had taken Plaintiff's deposition on July 30, 2014.

Rule 30(a)(2)(B) provides: “A party must obtain leave of court, and the court must grant leave to the extent consistent with Rule 26(b)(2): (B) if the deponent is confined in prison.” In the January 23, 2014 Case Management Order, the Court granted Defendants leave, pursuant to Rule 30(a), to take Plaintiff’s deposition, upon reasonable notice. [Doc. 24] The Case Management Order further provided that all discovery in this case must be completed by July 24, 2014.

The Court finds that Defendants' request to take Plaintiff's deposition in regard to additional allegations against Defendant Phillips is reasonable and appropriate.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion to Take Second Deposition
[Doc. # 61] be **granted**.

IT IS FURTHER ORDERED that Plaintiff shall appear for deposition on **November 7, 2014, at 10:30 a.m. at Southeast Correctional Center.**

Dated this 29th day of October, 2014



ABBIE CRITES-LEONI
UNITED STATES MAGISTRATE JUDGE