

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DE-VAUNTE J. TAYLOR,

Plaintiff,

vs.

JAMES E. HOLTMEYER, Omaha Police
Officer, sued in his individual and in his
official capacities; STATE OF NEBRASKA,
AND OMAHA POLICE DEPT.,

Defendants.

4:14CV3127

ORDER

This matter is before the court on the Defendants' motion for leave to depose De-Vaunte Taylor, who is currently incarcerated at the Nebraska State Penitentiary or another Nebraska Department of Correctional Services facility in Lincoln, Nebraska. (Filing No. 65). Federal Rule of Civil Procedure Rule 30(a)(2)(B) states that a party must obtain leave of court to depose a person confined in prison. Leave shall be granted to the extent consistent with the principles stated in Rule 26(b)(2). Fed.R.Civ.P. 30(a)(2). Accordingly,

IT IS ORDERED:

- 1) The Defendants' motion to depose De-Vaunte Taylor is granted. The depositions will commence on a date and time agreeable to the penal facility where De-Vaunte Taylor is housed. The location of the deposition shall be a place agreeable to the administration of that penal facility.
- 2) De-Vaunte Taylor is ordered to attend the deposition as scheduled, and shall cooperate fully with the deposition process to the extent required by law.
- 3) De-Vaunte Taylor is reminded that failure to attend and fully cooperate in the deposition process will be deemed a violation of this court's order, which may result in civil or criminal contempt proceedings, and may also impact the calculation of earned and unearned good time credit.
- 4) A copy of this order shall be attached to the notice of deposition served on De-Vaunte Taylor. If the notice is served on counsel for De-Vaunte Taylor, the deponent's counsel shall forward the notice with this order to De-Vaunte Taylor and shall file a certificate of service stating the date and manner of service.

November 20, 2015.

BY THE COURT:
s/ Cheryl R. Zwart
United States Magistrate Judge