Bryant v. The State of Nevada, ex rel, et al., Doc. 18

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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DONELL BRYANT,

Plaintiff,

vs.

KITCHEN MANAGER JOHN DOE, et al.,

Defendants.

2:16-cv-01584-APG-VCF

ORDER

Before the Court is the Defendants' Motion for Leave to Take the Deposition of Donell Gerod Bryant, an Incarcerated Person (ECF No. 17), filed on July 18, 2017.

Defendants request leave to take Plaintiff's deposition, who is currently incarcerated at Southern Desert Correctional Center located in Indian Springs, Nevada, pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure. Rule 30(a)(2) requires a party to seek leave of court to depose an incarcerated individual. The Court finds that Defendants have established good cause to grant its motion.

To date, no opposition has been filed and the time to file an opposition has passed. Under LR 7-2(d), the failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the motion. Here, it would seem that Plaintiff has consented to the granting of the instant motion.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion for Leave to Take Deposition of an

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Incarcerated Person (ECF No. 17) is GRANTED.

DATED this 8th day of August, 2017.

CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE