

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID GONZALEZ,

Plaintiff,

vs.

CLARK COUNTY, ex rel- The Clark County
Sheriff's Office, Sgt. Aspiazu, 7117, CO Hood,
#9902,

Defendant.

2:17-cv-00607-JAD-VCF

ORDER

Before the Court is the Defendants' Motion for Leave to Take the Deposition of David Gonzalez, an Incarcerated Person (ECF No. 21), filed on July 7, 2017.

Defendants request leave to take Plaintiff's deposition, who is currently incarcerated at the High Desert State Prison 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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1 Incarcerated Person (ECF No. 21) is GRANTED.

2 DATED this 3rd day of August, 2017.

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5 CAM FERENBACH
6 UNITED STATES MAGISTRATE JUDGE
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