IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11cv178

DEERBORNE COTTAGES, L.L.C. et al.,	)))	
Plaintiffs,	))	
v.	))	**ORDER**
G. GORDON GREENWOOD and RAYNIA J. WHITE,	))))	
Defendants.	))	
_____	)	

Pending before the Court is the Motion to for Leave to Depose Defendant Greenwood [# 48]. Defendant Greenwood is currently an inmate in a federal prison in South Carolina. Plaintiffs now move this Court for an order pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure granting them leave to depose Defendant Greenwood. Defendants consent to the motion. Upon a review of the record and the relevant legal authority, the Court **GRANTS** the motion [# 48]. The Court **GRANTS** the parties leave of Court to depose Defendant Greenwood on January 18, 2013.

Although Plaintiffs also request that this Court order the person in charge of G. Gordon Greenwood at the FCI Edgefield Correctional Institution to produce Defendant Greenwood, provide them with a room at the prison sufficiently large

enough to conduct the deposition, and allow counsel for Defendant Greenwood forty-five minutes prior to the deposition to confer with their client, the parties cite no legal authority authorizing this Court to order a prison official who is not a party to this dispute and is located outside of this Court's jurisdiction to perform actions outside of the jurisdiction of the Court. Although Rule 30(a)(2)(B) provides that leave of Court is required prior to deposing a prisoner, it does not grant the Court authority to order prison officials in South Carolina to take specific acts. Absent the parties providing legal authority to this Court demonstrating that is has such authority, the Court will not issue an Order directing prison officials outside of the jurisdiction of this Court to undertake and specific acts.

Signed: December 28, 2012
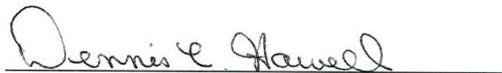
Dennis L. Howell
United States Magistrate Judge