

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL B. KINGSLEY,

Plaintiff,

v.

LISA JOSVAI, PATRICIA FISH,
ROBERT CONROY, STAN HENDRICKSON,
FRITZ DEGNER and KARL BLANTON,

Defendant.

ORDER

10-cv-832-bbc

Plaintiff Michael Kingsley is proceeding in this case on his claims that defendants Robert Conroy, Stan Hendrickson, Fritz Degner and Karl Blanton violated his rights under the Fourteenth Amendment by using excessive force on him and committed the state tort of assault and battery and that defendants Josvai and Patricia Fish violated plaintiff's right to procedural due process under Fourteenth Amendment. Now before the court is plaintiff's motion for leave to take depositions of defendants after his deposition is conducted by defendants' counsel on July 14, 2011.

As defendants point out, plaintiff does not need leave of the court to take deposition of the defendants because they are not confined in a prison. *See* Fed. R. Civ. P. 30(a)(2)(B). Plaintiff may take the depositions of the defendants without leave of the court. However, he must comply with the procedures set forth in Fed. R. Civ. P. 30, including providing notice to defendants. Defendants' counsel advises the court that he will attempt to facilitate the taking of the requested depositions. Plaintiff's motion for leave to take depositions will be denied as unnecessary.

ORDER

IT IS ORDERED that plaintiff's motion for leave to take depositions, dkt. # 18, is DENIED as unnecessary.

Entered this 7th day of June, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge