



## (PC) Rood v. Lockwood et al

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1 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

COLTON JAMES ROOD,

Plaintiff, v. LOCKWOOD, et al.,

Defendants.

No. 2:19-cv-1806 KJM AC P

### ORDER

Plaintiff, a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983, has filed objections to defendants' notice of deposition. ECF No. 60. Plaintiff states that he objects to the deposition on the ground that he is indigent and cannot afford a copy of the deposition transcript, putting him at an unfair disadvantage. *Id.* There is no requirement that defendants, or anyone else, provide plaintiff with a copy of the deposition free of charge, although the deposition reporter is required to provide plaintiff with a copy of the transcript if he pays the applicable charges. Fed. R. Civ. P. 30(f)(3). Accordingly, plaintiff's objection to the deposition on the ground that he cannot afford a copy of the transcript is meritless and will be overruled. To the extent plaintiff is seeking a protective order under Federal Rule of Civil Procedure 26(c), his inability to pay for a copy of the transcript fails to demonstrate good cause. To the extent plaintiff appears to believe that a deposition transcript is the only way for him to present his testimony to the court, he is advised that, if necessary, he can provide his version of

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2 events in a declaration sworn under the penalty of perjury so long as he is competent to testify to the matter contained within the declaration. Accordingly, IT IS HEREBY ORDERED that plaintiff's objection to his deposition is **OVERRULED**. Plaintiff remains obligated to fully participate in his deposition. DATED: August 10, 2022

