IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

GLENN F. MILES,	Case No. CV-09-50-S-BLW
Plaintiff,	Case 110. C V -09-30-3-BL W
v.)	MEMORANDUM DECISION AND ORDER
SAINT ALPHONSUS REGIONAL) MEDICAL CENTER, INC., an Idaho) corporation, and DAVID A. KENT,)	
M.D., an individual,	
Defendant.)	

Before the Court is Plaintiff's Motion (Docket No. 18) for Leave to Amend its Complaint. The issue is fully briefed and before the Court. For the following reasons the Court will grant the Motion.

Plaintiff moves to Amend its Complaint (Docket No. 1) under Federal Rule of Civil Procedure 15(a)(2). Based on the pleadings, it appears that the parties agree that Plaintiff is pursuing claims strictly under 42 U.S.C. § 1983.

Accordingly, the Court grants Plaintiff leave to amend the Complaint. The issue concerning exhaustion of administrative remedies need not be resolved now; the Court will address the issue in dispositive motions, if raised, and after the parties Memorandum Decision & Order -- page 1

have had an opportunity to brief the issue fully.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that Plaintiff's Motion (Docket No. 18) for Leave to Amend its Complaint shall be, and the same is hereby, GRANTED.

DATED: January 4, 2010

B. LYNN WINMILL

Chief Judge

United States District Court