

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

SANIJE BERISHA

Plaintiff,

v.

IDAHO INDUSTRIAL COMMISSION;
GROVE HOTEL; and INSURANCE
COMPANY OF THE WEST

Defendants.

Case No. 1:13-CV-85-BLW

MEMORANDUM DECISION

On February 19, 2013, Plaintiff filed this action against the Idaho Industrial Commission, the Grove Hotel, and the Insurance Company of the West. Her complaint is on the form entitled “Prisoner Complaint” although there is no indication in the complaint that she has ever been incarcerated. She alleges that she injured her hand in 2002 while working at the Grove Hotel, and that over the next decade, the defendants treated her unfairly.

The complaint contains no jurisdictional allegation. Rule 8(a) requires that the complaint contain a “statement of the grounds for the court’s jurisdiction.” Rule 12(h)(3) states that the Court “must dismiss the action” if it determines “at any time that it lacks subject-matter jurisdiction.” While the Court would permit amendment if it could discern

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any basis for jurisdiction, the Court can discern none here. Accordingly, the Court will dismiss the action, although it will do so without prejudice to plaintiff's right to re-file the law suit with the proper allegations. The Court will enter a separate Judgment as required by Rule 58(a).



DATED: **April 3, 2013**

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

Honorable B. Lynn Winmill
Chief U. S. District Judge