

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

PAUL PRESCOTT PEYTON III,)	
)	
Plaintiff,)	Case No. CV06-115-S-MHW
)	
vs.)	ORDER
)	
IDAHO DEPARTMENT OF CORR.,)	
CORRECTIONAL MEDICAL)	
SERVICES, PRISON HEALTH)	
SERVICES, et al.,)	
)	
Defendants.)	
_____)	

Pending before the Court is Plaintiff's "Motion to Compel Discovery" (Docket No. 12). Plaintiff states that he cannot comply with the Court's Order to file an amended complaint unless he has access to his medical records at the prison. While Plaintiff's Motion is premature as a discovery request, the Court finds the request reasonable and appropriate in the inmate civil rights context and will order the Idaho Department of Corrections to provide Plaintiff with access to his medical records and to provide him with a copy of those records that he needs in order to amend his Complaint.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the Idaho Department of Correction shall provide Plaintiff with access to his medical records, and shall provide

him with a copy of the records that he needs in order to amend his Complaint.

IT IS FURTHER HEREBY ORDERED that the Clerk of Court shall provide a copy of this Order to Paul Panther, Idaho Attorney General's Office, 1299 N. Orchard, Ste. 110, Boise, ID 83706.

IT IS FURTHER HEREBY ORDERED that the Court shall extend the time for Plaintiff to file an amended complaint to **December 15, 2006.**



DATED: October 4, 2006

A handwritten signature in black ink, reading "Mikel H. Williams".

Honorable Mikel H. Williams
United States Magistrate Judge