

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAREEM HASSAN MILHOUSE : CIVIL ACTION  
: :  
v. : :  
: :  
FEDERAL BUREAU OF PRISONS, : :  
et al. : NO. 07-cv-02222-JF

MEMORANDUM

Fullam, Sr. J.

March 2, 2010

Plaintiff, a federal prisoner, is suing various prison doctors and other officials, asserting that he has been denied adequate medical care in violation of his constitutional rights. All of the defendants have filed motions to dismiss the amended complaint, pursuant to Fed. R. Civ. P. 12(b)(6).

Upon review of the existing record, I have concluded that plaintiff's amended complaint obviously passes muster under Rule 12(b)(6). The defendants' motions merely assert that plaintiff will be unable to prove his case at trial. The motions to dismiss will therefore be denied, without prejudice to the filing of motions for summary judgment, if appropriate, after further development of the facts of the case. An Order follows.

BY THE COURT:

/s/ John P. Fullam  
John P. Fullam, Sr. J.

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ORDER

AND NOW, this 2<sup>nd</sup> day of March 2010, upon consideration of the various defense motions to dismiss plaintiff's amended complaint, and plaintiff's response, IT IS ORDERED:

That the defendants' motions to dismiss are all DENIED, without prejudice to later filing of motions for summary judgment, if appropriate.

BY THE COURT:

/s/ John P. Fullam  
John P. Fullam, Sr. J.