

JAN 30 2014

**Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia**

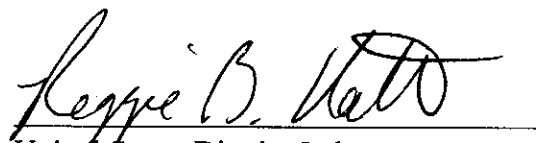
Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), demanding a declaratory judgment and compensatory and punitive damages.

“[A] criminal defendant may not recover damages under 42 U.S.C. § 1983 for ‘harm caused by actions whose unlawfulness would render [his] conviction or sentence invalid’ unless ‘the conviction or sentence has been reversed on direct appeal, expunged by executive order, declared invalid by a state tribunal authorized to make such determination, or called into question by a federal court’s issuance of a writ of habeas corpus.’” *Williams v. Hill*, 74 F.3d 1339, 1340 (D.C. Cir. 1996) (citing *Heck v. Humphrey*, 512 U.S. 477, 487 (1994)). “The rationale of *Heck* applies equally to claims against federal officials in *Bivens* actions.” *Id.* In this case, the Court “must consider whether a judgment in favor of the plaintiff would necessarily imply the invalidity of his conviction or sentence; if it would, the complaint must be dismissed unless the plaintiff can demonstrate that the conviction or sentence has already been invalidated.” *Heck*, 512 U.S. at 487. If the plaintiff’s allegations were proved true, the ruling would undermine the validity of his criminal conviction. Because he has not shown that his conviction or sentence has already been invalidated, this civil rights action for damages must be dismissed.

An Order accompanies this Memorandum Opinion.

DATE:

January 13, 2014


United States District Judge