

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DARRELL WAYNE HUGHES,

Plaintiff,

v.

UNITED STATES, *et al.*,

Defendants.

Civil Action No.

14-1447

FILED

AUG 22 2014

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

MEMORANDUM OPINION

This matter is before the Court on the plaintiff's application to proceed *in forma pauperis* and his *pro se* complaint. The Court will grant the application and dismiss the complaint.

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Plaintiff is a prisoner who currently incarcerated at the Westville Correctional Facility in Westville, Indiana. Generally, he alleges that he has been arrested, tried, convicted, sentenced and incarcerated in violation of rights protected under the First, Fourth, Fifth, Sixth, Thirteenth and Fourteenth Amendments to the United States Constitution. He demands both 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.* Here,

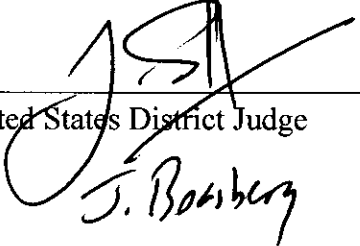
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the plaintiff does not show that his conviction or sentence has been invalidated, and his "claim for damages bearing [a] relationship to a conviction or sentence that has *not* been so invalidated is not cognizable under § 1983." *Id.* at 487 (emphasis in original).

The Court concludes that the plaintiff's complaint fails to state a claim upon which relief can be granted and, accordingly, it will be dismissed. *See* 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b)(1). An Order is issued separately.

DATE: 8-19-14


United States District Judge
J. Boriberg