

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 00-5060

September Term, 1999

99cv01065

Filed On: August 30, 2000 [540201]

Welton Zolicoffer,
Appellant

v.

Bureau of Prisons,
Appellee

BEFORE: Sentelle, Henderson, and Tatel, Circuit Judges

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on appellant's brief. The court has determined that the issues presented occasion no need for an opinion. See Fed. R. App. P. 36; D.C. Cir. Rule 36(b). It is

ORDERED and **ADJUDGED** that the district court's orders filed July 7, 1999 and December 22, 1999, be affirmed substantially for the reasons stated therein. Appellant's argument that the district court's dismissal of his claims should be reversed because he was denied the opportunity to amend his complaint is without merit as there is no set of facts that he could allege that would enable him to survive the holdings of Heck v. Humphrey, 512 U.S. 477, 486-87 (1994), and the district court properly determined that his claim must be brought as a petition for a writ of habeas corpus.

The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam