

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 00-5274

September Term, 2000

00cv01422

Filed On: November 29, 2000 [559092]

Phillip Antonio Owens,
Appellant

v.

Bureau of Prisons, et al.,
Appellees

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

BEFORE: Ginsburg, Tatel, and Garland, Circuit Judges

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 the brief filed by appellant. 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 order filed June 16, 2000, be affirmed. The district court properly dismissed the complaint without prejudice because a judgment in appellant's favor would necessarily imply the invalidity of his conviction and sentence, which have not been invalidated in a prior proceeding. See Heck v. Humphrey, 512 U.S. 477, 486-87 (1994); White v. United States Probation Office, 148 F.3d 1124 (D.C. Cir. 1998) (per curiam).

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