

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 00-5277

September Term, 2000

00cv01607

Filed On: March 19, 2001 [583533]

Rafael A. Ruiz-Garcia,
Appellant

v.

Richard Danzig, Secretary of the Navy, et al.,
Appellees

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

BEFORE: Edwards, Chief Judge; Williams and Randolph, 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 the 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 July 7, 2000, be affirmed substantially for the reasons stated by the district court. The district court properly dismissed the case. See *Heck v. Humphrey*, 512 U.S. 477 (1994) (42 U.S.C. § 1983 claim for damages, which necessarily challenges fact or duration of confinement, is not cognizable unless the conviction or sentence has previously been invalidated).

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