

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 02-5412

September Term, 2002

02cv02191

Filed On: August 28, 2003 [769060]

Carl Benit Cooper,
Appellant

v.

John D. Ashcroft, US Attorney General, et al.,
Appellees

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

BEFORE: Ginsburg, Chief Judge, and Henderson 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 the appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's final judgment filed November 6, 2002, be affirmed. The district court correctly dismissed for failure to state a claim appellant's complaint filed pursuant to 42 U.S.C. § 1983. See Heck v. Humphrey, 512 U.S. 477 (1994). Appellant's attempt to argue Heck does not apply is unavailing.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution 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