

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 05-7072

September Term, 2005

05cv00712

Filed On: February 16, 2006 [949822]

Willie Branch-El,  
Appellant

v.

John Tan, Esq., in his individual capacity, et al.,  
Appellees

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

**BEFORE:** Ginsburg, Chief Judge, and Sentelle and Tatel, 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. It is

**ORDERED AND ADJUDGED** that the district court's order filed April 7, 2005, be affirmed. Appellant's damages claims, like those presented in his prior suit (Branch-El v. Powell, et al., No. 03cv2188 (D.D.C. Oct. 24, 2003)), are barred by Heck v. Humphrey, 512 U.S. 477, 486-87 (1994), and Edwards v. Balisok, 520 U.S. 641 (1997). Accordingly, we affirm the dismissal of the complaint without prejudice.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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