

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 05-5175

September Term, 2005

05cv00694

Filed On: March 10, 2006 [955041]

Eddie Keeper,  
Appellant

v.

David D. Noce, Magistrate Judge, et al.,  
Appellees

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

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

**ORDERED AND ADJUDGED** that the district court's order filed April 7, 2005, be affirmed. The district court correctly determined that appellant's claims against the federal magistrates, district judges, and prosecutor are barred by judicial and prosecutorial immunity. See Mireles v. Waco, 502 U.S. 9, 10 (1991); Stump v. Sparkman, 435 U.S. 349 (1978); Imbler v. Pachtman, 424 U.S. 409 (1976). Moreover, all of appellant's damages claims are barred by Heck v. Humphrey, 512 U.S. 477, 486-87 (1994), because a judgment on those claims would necessarily imply the invalidity of his conviction, which has not been invalidated in a prior proceeding. See also 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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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