

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 08-5113

September Term 2008

1:08-cv-00375-UNA

Filed On: October 31, 2008

Stanley E. Brown,

Appellant

v.

William K. Suter, Clerk for the US Supreme
Court, et al.,

Appellees

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

BEFORE: Sentelle, Chief Judge, and Tatel and Griffith, 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. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's orders filed February 29, 2008, and March 28, 2008, be affirmed. The district court did not abuse its discretion by dismissing appellant's case for failure to state a claim. That court correctly determined that appellant's claims against the Clerk of the United States Supreme Court, see In re Marin, 956 F.2d 339, 340 (D.C. Cir. 1992), and various prosecutors, see Imbler v. Pachtman, 424 U.S. 409, 420 (1991), for acting within the scope of their respective duties, are barred. Moreover, 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).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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