

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-5040

September Term 2009

1:10-cv-00026-UNA

Filed On: September 3, 2010

Donald Ray McCray,

Appellant

v.

Eric H. Holder, Jr., United States Attorney
General, et al.,

Appellees

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

BEFORE: Sentelle, Chief Judge, and Henderson 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 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 order filed January 6, 2010, be affirmed. The district court correctly held that there is no private right of action under 18 U.S.C. §§ 241 and 242, see, e.g., Pope v. Thornburgh, 978 F.2d 744 (D.C. Cir. 1992) (per curiam) (table case), and that appellant may not recover damages arising from his criminal conviction and resulting confinement because he has not shown that his conviction has been invalidated. See Heck v. Humphrey, 512 U.S. 477 (1994).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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