

United States Court of Appeals
For the Eighth Circuit

No. 17-1523

Kristy Cunningham

Plaintiff - Appellant

v.

Leona Bates, in her Individual Capacity; Dennis Smith, in his Individual Capacity;
David Kennedy, in his Individual Capacity; Daniel R. Bullock, in his Individual
Capacity; Spring Henson Gray, in her Individual Capacity; Donald Duncan, in his
Individual Capacity; Rick Baker, in his Individual Capacity; The City of
Farmington, Missouri; St. Francois County, Missouri

Defendants - Appellees

Police Officer John Doe, City of Farmington Police Officer

Defendant

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: October 18, 2017

Filed: October 30, 2017

[Unpublished]

Before WOLLMAN, GRUENDER, and BENTON, Circuit Judges.

PER CURIAM.

Kristy Cunningham appeals after the district court¹ adversely granted judgment on the pleadings, under Federal Rule of Civil Procedure 12(c), in her 42 U.S.C. § 1983 action. Upon *de novo* review, *see Montin v. Moore*, 846 F.3d 289, 293 (8th Cir. 2017) (reviewing *de novo* a grant of a Rule 12(c) motion), we conclude that the district court properly determined that Cunningham’s claims for damages were barred under *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994) (stating that if a judgment in favor of the plaintiff would necessarily imply the invalidity of a conviction or sentence, the complaint must be dismissed unless the plaintiff can demonstrate that the conviction or sentence has already been invalidated). Accordingly, we affirm. *See* 8th Cir. R. 47B.

¹The Honorable Rodney W. Sippel, Chief Judge, United States District Court for the Eastern District of Missouri.