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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DION ANDERSON,

Plaintiff,

v.

L. CAHLANDER, et al.,

Defendants.

Case No. 1:12-cv-01966 LJO DLB PC

ORDER CORRECTING ORDER
DISMISSING CASE AS WITHOUT
PREJUDICE

[ECF No. 29]

Plaintiff Dion Anderson (“Plaintiff”) is a state prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”).

On October 5, 2015, the Court dismissed the complaint with prejudice for failure to state a claim. Plaintiff appealed to the Ninth Circuit Court of Appeals. On August 5, 2016, the Ninth Circuit affirmed the District Court’s decision which dismissed the complaint as *Heck*-barred. *See Heck v. Humphrey*, 512 U.S. 477, 487 (1994). However, the Ninth Circuit remanded the case for the limited purpose of correcting the order dismissing the complaint as without prejudice.

ORDER

Accordingly, IT IS HEREBY ORDERED that the order of October 5, 2015, dismissing the case is CORRECTED to reflect that dismissal of the complaint is WITHOUT PREJUDICE.

IT IS SO ORDERED.

Dated: August 23, 2016

/s/ Lawrence J. O’Neill
UNITED STATES CHIEF DISTRICT JUDGE

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