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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK WAYNE SPRINKLE,  
Plaintiff,  
v.  
LEON ROBINSON ,  
Defendant.

No. 2:02-cv-1563-JAM-EFB P

ORDER


Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C § 1983. Pursuant to the order of the district judge dated November 10, 2014 (ECF No. 157), the parties are directed to file briefs within 30 days of the date of this order addressing whether plaintiff may recover money damages premised on a finding that his state habeas petition would have been granted absent defendants’ unconstitutional conduct or whether such damages are barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). The parties should include in their briefs a discussion of whether a habeas corpus remedy remains available to plaintiff and the

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1 consequences if it does not. ECF No. 157 at 4 n.4 (citing *Guerrero v. Gates*, 442 F.3d 697, 704-  
2 05 (9th Cir. 2006); *Cunningham v. Gates*, 312 F.3d 1148, 1153 n.3 (9th Cir. 2002); and *Hoard v.*  
3 *Reddy*, 175 F.3d 531, 533 (7th Cir.1999)).

4 So ordered.

5 DATED: March 5, 2015.

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7 EDMUND F. BRENNAN  
8 UNITED STATES MAGISTRATE JUDGE  
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