

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RALPH MICHAEL CERVANTES,

Plaintiff,

No. 2:07-cv-2550-MCE-JFM (PC)

vs.

PLACER COUNTY SUPERIOR  
COURT, et al.,

Defendants.

ORDER

On December 1, 2008, plaintiff filed a document accompanied by documents filed in the Placer County Superior Court. This civil rights action was dismissed without prejudice on February 11, 2008 as barred by the rule announced in Heck v. Humphrey, 512 U.S. 477 (1994) and its progeny. The documents filed by plaintiff on December 1, 2008 do not demonstrate that the claims raised in the underlying complaint are no longer barred by Heck. Even if plaintiff does obtain relief from the sentence enhancements challenged in the underlying complaint, any

/////  
/////  
/////  
/////  
/////

1 claim for damages should be brought, if at all, in a new action. Plaintiff is advised that no orders  
2 will issue in response to future filings in this action.

3 DATED: January 14, 2009.

4

5

6

  
UNITED STATES MAGISTRATE JUDGE

7

8 12  
cerv2550.58

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26