

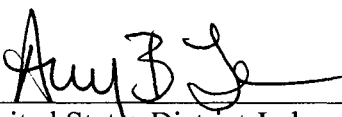
seeks \$500 million in money damages, declaratory relief, and injunctive relief in the form of his “immediate release.” *Id.* at 3.

Since plaintiff has not sued an individual, he has stated no claim under section 1983, which, by its terms, authorizes a private cause of action to be brought against “[e]very person” who violates an individual’s constitutional rights while acting “under color of . . . State . . . or [] District of Columbia” law. 42 U.S.C. § 1983; *see Ashcroft v. Iqbal*, 556 U.S. 662, 676 (2009) (In a section 1983 lawsuit, “a plaintiff must plead that each Government-official defendant, through the official's own individual actions, has violated the Constitution.”). Even if plaintiff had named a government official, his claim for money damages would be foreclosed since he has not indicated that his conviction has been invalidated via a writ of habeas corpus or some other recognized authority. *See Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994) (holding “that, in order to recover damages for [an] alleged[] unconstitutional conviction or imprisonment . . . , plaintiff must prove that the [judgment] has been reversed on direct appeal, expunged by executive order, declared invalid by a state tribunal authorized to make such determination, or called into question by a federal court's issuance of a writ of habeas corpus”).

Furthermore, plaintiff’s claims for equitable relief are foreclosed since “it is well-settled that a prisoner seeking relief from his conviction or sentence may not bring [an action for injunctive and declaratory relief].” *Williams v. Hill*, 74 F.3d 1339, 1340 (D.C. Cir. 1996) (per curiam), citing *Preiser v. Rodriguez*, 411 U.S. 475 (1973); *Chatman-Bey v. Thornburgh*, 864 F.2d 804, 808-10 (D.C. Cir. 1988)) (en banc). Hence, this action will be dismissed for failure to

state a claim upon which relief can be granted. A separate order accompanies this Memorandum Opinion.

Date: October 7th, 2014


United States District Judge