
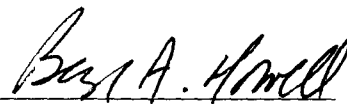


Cir. 1952) (stating that a motion to vacate under 28 U.S.C. § 2255 is the proper vehicle for challenging the constitutionality of a statute under which a defendant is convicted); *Ojo v. I.N.S.*, 106 F.3d 680, 683 (5th Cir. 1997) (explaining that the sentencing court is the only court with jurisdiction to hear a defendant's complaint regarding errors that occurred before or during sentencing). Moreover, under the present circumstances, plaintiff cannot recover money damages since he has not shown that his sentence 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"). Hence, this case will be dismissed. A separate order accompanies this Memorandum Opinion.

Date: August , 2015


United States District Judge