

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

LONNIE W. LYNCH, JR.,)

Plaintiff,)

v.)

NO. 08-3295

KEVIN P. NOLAN, CLINT)

HOWARD, CHARLES MCGREW,)

and MATTHEW S. RASNAKE,)

individually, and DOUGLAS)

COUNTY, ILLINOIS,)

Defendants.)

OPINION

RICHARD MILLS, U.S. District Judge:

In a prior opinion, this Court refused to apply the bar of *Heck v. Humphrey*, 512 U.S. 477 (1994) because no conviction had been entered against Plaintiff Lynch. Instead, *Younger* abstention was applied and this case was stayed.

Since then, Lynch has pled guilty and Defendants now seek outright dismissal. Lynch has not responded.

A conviction does not mean that *Heck* bars all arrest related claims,

but only those that necessarily imply the invalidity of the conviction. *See Hardrick v. City of Bolingbrook*, 522 F.3d 758, 764 (7th Cir. 2008). In this case, all of Lynch's claims derive from allegations that the police statements and his own arrest and prosecution were baseless. Success on such claims would clearly undermine his conviction.

 Ergo, the stay is dissolved and the motion to dismiss [d/e 25] is GRANTED. The clerk is directed to enter a judgment dismissing this case without prejudice. This case is CLOSED.

IT IS SO ORDERED.

ENTERED:

June 8, 2009

FOR THE COURT:

/s Judge Richard Mills
United States District Judge