

the grant of a writ of habeas corpus.” *Heck*, 512 U.S. at 489. If successful, Plaintiff’s claims would necessarily imply the invalidity of the guilty finding in Plaintiff’s disciplinary proceeding. Therefore, the Court finds that Plaintiff’s claims are *Heck*-barred.

If *Heck* does not apply, Plaintiff’s claims are barred by the statute of limitations. The statute of limitations in § 1983 cases arising in Illinois is two years. *See Kalimara v. Ill. Dep’t of Corr.*, 879 F.2d 276, 277 (7th Cir. 1989). This period is tolled while Plaintiff’s completes the administrative grievance process. *See Johnson v. Rivera*, 272 F.3d 519, 522 (7th Cir. 2001). Plaintiff alleges in his motion that he completed the administrative grievance process on April 2, 2015. Plaintiff filed suit on April 10, 2017, more than two years later.

IT IS THEREFORE ORDERED that:

1. The plaintiff’s complaint is dismissed as Plaintiff’s claims are barred pursuant to *Heck v. Humphrey*, 512 U.S. 477 (1994), or, in the alternative, by the applicable statute of limitations. Any amendment to the Complaint would be futile. All pending motions are denied as moot. Clerk is directed to enter a judgment pursuant to Fed. R. Civ. P. 58. This case is closed.
2. This dismissal shall count as one of the plaintiff’s three allotted strikes pursuant to 28 U.S.C. Section 1915(g). The clerk of the court is directed to record the plaintiff’s strike in the three-strike log.
3. The plaintiff must still pay the full docketing fee of \$350 even though his case has been dismissed. The agency having custody of the plaintiff shall continue to make monthly payments to the Clerk of Court, as directed in the Court’s prior order.
4. If the plaintiff wishes to appeal this dismissal, he may file a notice of appeal with this court within 30 days of the entry of judgment. Fed. R. App. P. 4(a). A motion for leave to appeal *in forma pauperis* MUST set forth the issues the plaintiff plans to present on appeal. *See* Fed. R. App. P. 24(a)(1)(C). If the plaintiff does choose to appeal, he will be liable for the \$505 appellate filing fee irrespective of the outcome of the appeal.

Entered this 15th day of May, 2017.

/s/ Harold A. Baker

HAROLD A. BAKER
UNITED STATES DISTRICT JUDGE