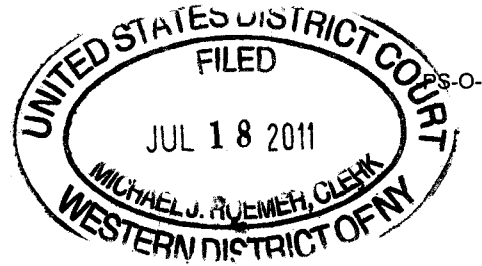


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



REGGIE CASWELL,

Plaintiff,

-v-

MICHAEL C. GREEN, Monroe County D.A.,
NANCY A. GILLIGAN, A.D.A., JULIE FINOCCHINO, A.D.A.,

Defendants.

DECISION and ORDER
10-CV-0166F

Pursuant to the United States Court of Appeals for the Second Circuit's Summary Order, dated June 8, 2011, and Issued as a Mandate on June 30, 2011 (Docket No. 10), vacating and remanding the District Court's Order dismissing the Complaint without prejudice pursuant to *Heck v. Humphrey*, 512 U.S. 477, 487, 114 S.Ct. 2364, 129 L.Ed.2d 383 (1994), the Clerk of the Court is directed to cause the United States Marshals Service to serve the Summons and Complaint and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

SO ORDERED

Dated:

July 15, 2011
Buffalo, New York

WILLIAM M. SKRETNY
Chief Judge
United States District Court