

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JESSE LEE KEEL, III

FILED

CIVIL ACTION

v.

JAN 26 2017

A.D.A. JESSICA CHUNG, et al.

KATE BARKMAN, Clerk
By _____ Dep. Clerk

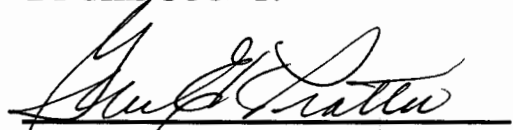
NO. 16-4013

ORDER

AND NOW, this 26th day of January, 2017, upon consideration of plaintiff's motion for reconsideration (ECF No. 12) and his exhibits (ECF No. 13), which the Court has construed together as a motion for reconsideration and amended complaint, it is ORDERED that:

1. The motion for reconsideration is GRANTED for the purpose of considering Mr. Keel's filings, which the Court has construed as an amended complaint.
2. The amended complaint is DISMISSED for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons discussed in the Court's memorandum. Mr. Keel may not file an amended complaint in this case. However, any claims that are currently barred by *Heck v. Humphrey*, 512 U.S. 477 (1994) are dismissed without prejudice to Mr. Keel filing a new civil action against an appropriate defendant or defendants in the event his convictions and sentence are overturned or otherwise called into question.
3. The Clerk of Court shall CLOSE this case.

BY THE COURT:



GENE E.K. PRATTER, J.