

March 7, 2007

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 05-11459
Summary Calendar

ANTHONY LIONEL GIBSON,

Plaintiff-Appellant,

versus

STATE OF TEXAS; DALLAS COUNTY TEXAS, BILL LONG, Clerk; JOHN VANCE, District Attorney; MARK NANCARROW, Judge; FRED MCDANIEL, Magistrate Judge; JOSIE MASSAR, Court Reporter; BAILIFF COURT #204; KATI DREW; C. LEROY JOHNSON; BRUCE ANTON,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:04-CV-2309

Before KING, HIGGINBOTHAM, and GARZA, Circuit Judges,

PER CURIAM:*

Anthony Lionel Gibson, former Texas prisoner # 695684, appeals from the dismissal of his 42 U.S.C. § 1983 suit, in which he sued numerous defendants connected with his state court conviction and subsequent state habeas proceedings. The district court dismissed the complaint without prejudice for failure to state a claim because the claims were barred by Heck v. Humphrey, 512 U.S. 477 (1994).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Gibson argues that the district court erroneously applied the Heck-bar. The thrust of Gibson's claims is that the defendants conspired and falsified documents in his state habeas proceedings because they knew his incarceration was illegal, thereby depriving him of his liberty. Gibson's claims challenged the validity of his incarceration, and the district court did not err. See Heck, 512 U.S. at 486-87.

Gibson has also filed a motion to compel the court reporter to produce a transcript of a hearing on his motion for discovery. That motion is denied.

AFFIRMED; MOTION DENIED.