

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 15-20145
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 24, 2016

Lyle W. Cayce
Clerk

WILLIS FLOYD WILEY,

Plaintiff-Appellant

v.

WILLIAM STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Defendant-Appellee

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:15-CV-96

Before WIENER, HIGGINSON, and COSTA, Circuit Judges.

PER CURIAM:*

Plaintiff-Appellant Willis Floyd Wiley filed a civil right complaint under 42 U.S.C § 1983 asserting that he was held in prison beyond his release date. The district court dismissed Wiley's claim as barred under *Heck v. Humphrey*, 512 U.S. 477, 487 (1994), because Wiley had not shown that his extended custody was invalid. The district court cited *Randell v. Johnson*, 227 F.3d 300,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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301 (5th Cir. 2000), for the proposition that the *Heck* dismissal was appropriate notwithstanding that Wiley was no longer in custody. On appeal, Wiley has failed to show that this was error.

AFFIRMED.