

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

United States Court of Appeals
Fifth Circuit

FILED

December 10, 2019

Lyle W. Cayce
Clerk

No. 19-60117
Summary Calendar

DONNA STURKIN,

Plaintiff-Appellee

v.

VICKY PATRICK,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:16-CV-434

Before WIENER, HAYNES, and COSTA, Circuit Judges.

PER CURIAM:*

Plaintiff-Appellee Donna Sturkin filed this 42 U.S.C. § 1983 lawsuit against Defendant-Appellant Vicky Patrick, a state employee. Sturkin alleged that Patrick, in her official capacity as Sturkin's probation officer in an alternative state program, had extorted financial benefits by requiring Sturkin (1) as a store cashier, not to charge Patrick for various items during checkout,

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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and (2) as a motel clerk, to allow Patrick and members of her family to room there without paying to do so.

Sturkin's case was eventually tried to a district court jury. The trial court ruled that Patrick was not entitled to qualified immunity, and the jury found that Patrick had violated Sturkin's civil rights for which it awarded \$350,000 in damages to Sturkin. The district court also overruled Patrick's challenge based upon the favorable termination requirement of *Heck v. Humphrey*, 512 U.S. 477 (1994). The *Heck* ruling is the only issue Patrick raises on appeal.

We have reviewed in detail the briefs of the parties and the relevant portions of the record on appeal. We conclude that the district court did not reversibly err in the challenged ruling.

AFFIRMED.