

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-60766
Summary Calendar

WENDELL DUNCAN,

Plaintiff-Appellant,

versus

ESTELL PRYOR; J. BROWN,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 95-CV-331-SA
- - - - -

April 17, 1996

Before JOLLY, JONES, and STEWART, Circuit Judges.

PER CURIAM:*

Wendell Duncan appeals the dismissal of his civil rights complaint as frivolous pursuant to 28 U.S.C. § 1915(d). The district district court determined that Duncan's complaint failed to satisfy Heck v. Humphrey, 114 S. Ct. 2364, 2372 (1994), i.e. because a judgment in his favor would imply the invalidity of his conviction and he failed to show that "his complaint has not been `reversed, expunged, invalidated, or impugned by the grant of a writ of habeas corpus.'" R. 28. The district court denied

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Duncan's complaint as frivolous under § 1915(d). We have reviewed the record, the district court's order, and the appellant's brief. We affirm essentially on the reasoning of the district court.

AFFIRMED.