

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Gregory Brown v. City and County of San Francisco, et al.

Brown · No. 25-cv-06667-WHO (PR) · Decided December 9, 2025

SUMMARY

The Northern District of California dismissed Gregory Brown’s pro se 42 U.S.C. § 1983 action against San Francisco and state officials under Heck v. Humphrey. The court concluded that a judgment in Brown’s favor would necessarily imply the invalidity of his convictions or sentence, which had not been shown to have been reversed or otherwise invalidated.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	William H. Orrick
JURISDICTION	United States District Court for the Northern District of California
DECIDED	December 9, 2025
DOCKET	25-cv-06667-WHO (PR)
DISPOSITION	dismissed
PROCEDURAL POSTURE	A California state prisoner brought a pro se action under 42 U.S.C. § 1983 against San Francisco and state actors. On initial screening under 28 U.S.C. § 1915(e), the district court dismissed the action because success on the claims would necessarily imply the invalidity of his convictions or sentence, which had not been shown to have been invalidated.
STANDARD OF REVIEW	On initial review under 28 U.S.C. § 1915(e), the court must dismiss a claim that is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from an immune defendant. Pro se pleadings are liberally construed, but the complaint must contain sufficient factual matter to state a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- section 1983
- prisoners rights
- post-conviction relief
- civil rights
- pleadings

PRACTICE AREAS

civil rights

prisoner litigation

federal civil procedure

post-conviction relief

QUESTIONS PRESENTED

1. Whether Brown's § 1983 claims were cognizable when success on those claims would necessarily imply the invalidity of his convictions or sentence.
2. Whether the complaint stated a plausible claim under § 1983 sufficient to survive initial screening under 28 U.S.C. § 1915(e).

HOLDINGS

1. A prisoner's § 1983 action seeking damages for an allegedly unconstitutional conviction, imprisonment, or related harm is not cognizable when a judgment in the prisoner's favor would necessarily imply the invalidity of the conviction or sentence, unless the conviction or sentence has already been invalidated through one of the means identified in *Heck v. Humphrey*. Brown's claims were barred because the alleged constitutional violations concerned the securing and continued validity of his convictions and sentence.
2. A § 1983 complaint must allege a violation of a constitutional or federal right by a person acting under color of state law, and conclusory allegations do not satisfy the plausibility requirement. The complaint was dismissed at initial screening.

KEY QUOTATIONS

“Heck v. Humphrey, 512 U.S. 477, 486-487 (1994), bars claims brought under 42 U.S.C. § 1983 that, if successful, would appear to invalidate a conviction or sentence that has not already been reversed on direct appeal, expunged by executive order, declared invalid by a state tribunal authorized to make such determination, or called into question by a federal court’s issuance of a writ of habeas corpus.” (at 1)

“Accordingly, where a state prisoner seeks damages in a section 1983 suit, the district court must consider whether a judgment in favor of the plaintiff would necessarily imply the invalidity of his conviction or sentence.” (at 2)

FACTUAL BACKGROUND

Brown, a California state prisoner, is serving a sentence of 56 years to life for 1995 convictions for conspiracy to commit murder and attempted murder. His appeals and petitions for resentencing have been denied. He sued San Francisco and several prosecutors and government attorneys, alleging that they violated his constitutional rights in securing his convictions and in opposing his efforts to overturn or reduce his convictions and sentence.

PROCEDURAL HISTORY

Gregory Brown is serving a sentence of 56 years to life for 1995 California convictions for conspiracy to commit murder and attempted murder. His appeals and resentencing petitions were denied. He then filed this federal civil-rights action challenging conduct connected with obtaining his convictions and opposing his efforts to

overturn or reduce them. The district court dismissed the action and directed the Clerk to enter judgment for defendants and close the file.

DISPOSITION

dismissed

CASES CITED

- Heck v. Humphrey, 512 U.S. 477, 486-487 (1994)
- People v. Brown, No. A157170, 2020 WL 6482333, at *1 (Cal. Ct. App. Nov. 4, 2020)
- Balistreri v. Pacifica Police Department, 901 F.2d 696, 699 (9th Cir. 1990)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 556, 570 (2007)
- Clegg v. Cult Awareness Network, 18 F.3d 752, 754-755 (9th Cir. 1994)
- West v. Atkins, 487 U.S. 42, 48 (1988)

OPINION

Brown

PER CURIAM.

1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

3 4 GREGORY BROWN, Case No. 25-cv-06667-WHO (PR) Plaintiff, 5

ORDER OF DISMISSAL

v. 6

7 CITY AND COUNTY OF SAN

FRANCISCO, et al., 8 Defendants. 9

10 INTRODUCTION

11 Heck v. Humphrey, 512 U.S. 477, 486-487 (1994), bars claims brought under 42 U.S.C. § 1983 that, if successful, would appear to invalidate a conviction or sentence that 13 has not already been reversed on direct appeal, expunged by executive order, declared 14 invalid by a state tribunal authorized to make such determination, or called into question 15 by a federal court’s issuance of a writ of habeas corpus. Here, plaintiff Gregory Brown 16 brings suit under 42 U.S.C. § 1983 against several state actors for allegedly violating his 17 federal constitutional rights in securing his criminal convictions and challenging his 18 resentencing petitions. Brown is incarcerated and his complaint does not indicate that his 19 conviction or sentence has been invalidated or reversed. As a result, Heck precludes his 20 federal civil rights action. This action is DISMISSED.

21 BACKGROUND

22 Brown, a California state prisoner, is serving a sentence of 56 years to life for his 23 1995 state

convictions for conspiracy to commit murder and attempted murder. *People v. 24 Brown*, No. A157170, 2020 WL 6482333 at *1 (Cal. Ct. App. Nov. 4, 2020). His appeals 25 and petitions for resentencing have been denied. (Compl., Dkt. No. 1 at 1-9.) He now 26 brings suit against the City and County of San Francisco, Floyd Andrews, an assistant 27 district attorney, Allison Macbeth, an assistant district attorney, Alex Bernstein, an assistant 1 attorney, Claudia Phillips, a deputy attorney general, Brooke Jenkins, district attorney of 2 San Francisco, and Rob Bonta, the Attorney General of California, for allegedly violating 3 his federal constitutional rights in securing his 1995 criminal convictions and for opposing 4 his attempts to have his convictions and sentence overturned or reduced.

5 DISCUSSION

6 A. Standard of Review 7 In its initial review of this pro se complaint, this Court must dismiss any claim that 8 is frivolous or malicious, or fails to state a claim on which relief may be granted, or seeks 9 monetary relief against a defendant who is immune from such relief. See 28 U.S.C. 10 § 1915(e). Pro se pleadings must be liberally construed. See *Balistreri v. Pacifica Police 11 Dep’t*, 901 F.2d 696, 699 (9th Cir. 1988). 12 A “complaint must contain sufficient factual matter, accepted as true, to ‘state a 13 claim to relief that is plausible on its face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) 14 (quoting *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). “A claim has facial 15 plausibility when the plaintiff pleads factual content that allows the court to draw the 16 reasonable inference that the defendant is liable for the misconduct alleged.” *Id.* (quoting 17 *Twombly*, 550 U.S. at 556). Furthermore, a court “is not required to accept legal 18 conclusions cast in the form of factual allegations if those conclusions cannot reasonably 19 be drawn from the facts alleged.” *Clegg v. Cult Awareness Network*, 18 F.3d 752, 754–55 20 (9th Cir. 1994). 21 To state a claim under 42 U.S.C. § 1983, a plaintiff must allege two essential 22 elements: (1) that a right secured by the Constitution or laws of the United States was 23 violated, and (2) that the alleged violation was committed by a person acting under the 24 color of state law. See *West v. Atkins*, 487 U.S. 42, 48 (1988). 25 B. Legal Claims 26 In order to recover damages for an allegedly unconstitutional conviction or 27 imprisonment, or for other harm caused by actions whose unlawfulness would render a 1 || or sentence has been reversed on direct appeal, expunged by executive order, declared 2 || invalid by a state tribunal authorized to make such determination, or called into question 3 || by a federal court’s issuance of a writ of habeas corpus. *Heck*, 512 U.S. at 486-487. A 4 || claim for damages bearing that relationship to a conviction or sentence that has not been so 5 || invalidated is not cognizable under section 1983. *Id.* at 487. 6 Accordingly, where a state prisoner seeks damages in a section 1983 suit, the 7 || district court must consider whether a judgment in favor of the plaintiff would necessarily 8 || imply the invalidity of his conviction or sentence. If it would, the complaint must be 9 || dismissed unless the plaintiff can demonstrate that the conviction or sentence has been 10 || invalidated. *Jd.* at 487. 11 In this case, a judgment that defendants violated Brown’s constitutional rights in 2 connection with his convictions and sentence would necessarily imply the invalidity of his 5 13 || conviction or sentence. Because it is

not clear from the complaint that his convictions S 14 || have not been invalidated in any of the ways specified in Heck, this section 1983 action is 3 15 || barred by Heck. As a result, the action will be dismissed.

a 16 CONCLUSION

3 17 This federal civil rights action is DISMISSED. The Clerk shall enter judgment in 18 favor of defendants, and close the file. 19 The filing fee has been paid. (Dkt. No. 6.) 20 IT IS SO ORDERED. 21 || Dated: December 9, 2025 “VQe 22 Yo .

LLIAM H. ORRICK

23 United States District Judge 24 25 26 27 28