

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Gabriel Isham Pittman v. Pennsylvania Department of Corrections,
et al.

Civ. Action No. 3:24-CV-2203 · No. 3:24-CV-2203 · Decided November 21, 2025

SUMMARY

The United States District Court for the Middle District of Pennsylvania denied Gabriel Isham Pittman’s motion for relief from a prior judgment under Federal Rule of Civil Procedure 60. The court held that Pittman’s claims remained barred by Heck v. Humphrey because he had not obtained a prior ruling invalidating his conviction or sentence. The court rejected his arguments concerning the constitutionality of his sentence, Pennsylvania state-court decisions, an alleged intervening change in law, and the calculation of his parole eligibility date.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Malachy E. Mannion
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	November 21, 2025
DOCKET	3:24-CV-2203
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 60 for relief from the court’s prior judgment dismissing his prisoner civil-rights complaint without prejudice under Heck v. Humphrey. The court denied the motion.
STANDARD OF REVIEW	Relief from a final judgment under Federal Rule of Civil Procedure 60(b) is available only on one of the rule's specified grounds or, under Rule 60(b)(6), for another reason justifying relief. The court reviewed plaintiff's arguments to determine whether they supplied a sufficient basis for reconsideration.
PRECEDENTIAL VALUE	unpublished district court memorandum; nonprecedential
PARTIES	Gabriel Isham Pittman v. Pennsylvania Department of Corrections, et al.

TOPICS

motion for reconsideration

prisoners rights

section 1983

civil rights

federal habeas corpus

PRACTICE AREAS

civil rights

prisoner civil rights

federal civil procedure

post-conviction relief

QUESTIONS PRESENTED

1. Whether plaintiff established a basis under Federal Rule of Civil Procedure 60(b) for relief from the prior judgment dismissing his civil-rights action under *Heck v. Humphrey*.
2. Whether plaintiff's assertion that his sentence is unconstitutional permitted his damages claim to proceed without a prior judicial ruling invalidating the sentence.
3. Whether *Commonwealth v. Pittman*, *Gustafson v. Springfield, Inc.*, or *Herrera v. Agents of Pennsylvania Board of Probation & Parole* undermined the prior *Heck* determination.
4. Whether a claim challenging the calculation of a state prisoner's parole eligibility date is subject to *Heck*'s favorable-termination requirement.

HOLDINGS

1. A plaintiff may not avoid *Heck* merely by asserting in a civil damages action that the sentence underlying his imprisonment is unconstitutional; he must show that a prior judicial ruling has established that the conviction or sentence was invalidated.
2. The Pennsylvania Superior Court's decision in *Commonwealth v. Pittman* did not call into question or invalidate plaintiff's conviction or sentence because it affirmed dismissal of his state habeas petition as untimely.
3. *Gustafson v. Springfield, Inc.* did not provide a basis for relief because it did not address *Heck*, and a Pennsylvania Supreme Court decision could not overrule the United States Supreme Court on a federal constitutional question.
4. *Herrera* did not permit plaintiff's claim to proceed because *Herrera* concerned custody beyond a prisoner's maximum release date, whereas *Pittman* challenged detention beyond his minimum release date while serving an ongoing lawful sentence.
5. Claims challenging a state's calculation of a prisoner's parole eligibility date are subject to *Heck*'s favorable-termination requirement.

KEY QUOTATIONS

“recover damages for allegedly unconstitutional conviction or imprisonment, or for other harm caused by actions whose unlawfulness would render a conviction or sentence invalid,” (486-87)

“prove that the conviction or sentence has 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.” (486-87)

FACTUAL BACKGROUND

Pittman is imprisoned under an ongoing criminal sentence and brought a civil-rights action challenging matters related to his imprisonment, including the constitutionality of his sentence and the calculation of his parole eligibility date. The court previously determined that the claims were barred by Heck because success would imply the invalidity of his conviction or sentence. Pittman argued that subsequent judicial decisions and the asserted invalidity of his sentence supplied grounds for relief from that judgment.

PROCEDURAL HISTORY

Pittman filed the action on December 20, 2024. The court dismissed it on January 21, 2025, as barred by Heck, without prejudice to refiling after a favorable ruling invalidating the underlying conviction or sentence. The court denied Pittman's Rule 59 motion to alter or amend the judgment on April 30, 2025. Pittman then filed the present Rule 60 motion on May 28, 2025, which the court denied.

DISPOSITION

other

CASES CITED

- Heck v. Humphrey, 512 U.S. 477 (1994)
- Commonwealth v. Pittman, 188 A.3d 536 (Pa. Super. Ct. 2018)
- Commonwealth v. Pittman, No. 1977 MDA 2017, 2018 WL 1386793 (Pa. Super. Ct. Mar. 18, 2018)
- Gustafson v. Springfield, Inc., 333 A.3d 651 (Pa. 2025)
- Herrera v. Agents of Pa. Bd. of Probation & Parole, 132 F.4th 248, 256 (3d Cir. 2025)
- Harper v. DOC, No. 3:16-CV-2366, 2018 WL 660924, at *2 (M.D. Pa. Feb. 1, 2018)
- Cook v. Pa. DOC Personnel at SCI-Huntingdon, No. 1:11-CV-259, 2011 WL 950138, at *2 (M.D. Pa. Mar. 16, 2011)
- Benson v. N.J. State Parole Bd., 947 F. Supp. 827, 831-33 (D.N.J. 1996)

OPINION

Pittman

PER CURIAM.

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF PENNSYLVANIA

GABRIEL ISHAM PITTMAN, : Plaintiff : CIV. ACTION NO. 3:24-CV-2203

v. : (JUDGE MANNION)

PENNSYLVANIA DEPARTMENT : OF CORRECTIONS, et al.,

Defendants :

MEMORANDUM

This is a prisoner civil rights case in which plaintiff asserts violations based on his ongoing

imprisonment. The court previously dismissed the case as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). The case is now before the court on plaintiff's motion for relief from that judgment. For the reasons that follow, the motion will be denied.

I. BACKGROUND

This case was filed on December 20, 2024. (Doc. 1). On January 21, 2025, the court dismissed the case pursuant to *Heck* without prejudice to plaintiff's right to file a new case if he subsequently obtained a writ of habeas corpus or other appropriate court order invalidating his underlying criminal conviction or sentence. (Docs. 7-8). The court denied plaintiff's motion to alter or amend the judgment pursuant to Federal Rule of Civil Procedure 59 on April 30, 2025. (Doc. 10). Plaintiff filed the instant motion for relief from judgment pursuant to Federal Rule of Civil Procedure 60 on May 28, 2025. (Doc. 11).

II. DISCUSSION

Federal Rule of Civil Procedure 60 allows a district court to grant relief from its final judgment based on one of six grounds:

- (1) mistake, inadvertence, surprise, or excusable neglect;
- (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
- (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
- (4) the judgment is void;
- (5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or
- (6) any other reason that justifies relief.

Fed. R. Civ. P.60(b). In this case, the court dismissed plaintiff's complaint as barred by *Heck*, which holds that a plaintiff seeking to "recover damages for allegedly unconstitutional conviction or imprisonment, or for other harm caused by actions whose unlawfulness would render a conviction or sentence invalid," must "prove that the conviction or sentence has 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." *Heck*, 512 U.S. at 486-87. Plaintiff advances several arguments for relief from this judgment, none of which have merit. Plaintiff's first argument is that his complaint may proceed without violating *Heck* because the sentence governing his imprisonment is unconstitutional. (Doc. 11 at 2-5). This argument puts the cart before the horse. Under *Heck*, it is not enough for a plaintiff to assert that his sentence is unconstitutional for a court to grant him damages; he must show that a prior judicial ruling has established that the sentence is unconstitutional. This court does not have the authority to rule on the constitutionality of his sentence during a civil damages proceeding when no prior judicial ruling has deemed the sentence unconstitutional or otherwise

invalid. Plaintiff's second argument is that his complaint does not violate Heck because the Pennsylvania Superior Court's decision in *Commonwealth v. Pittman*, 188 A.3d 536 (Pa. Super. Ct. Mar. 20, 2018), "called into question" the validity of his conviction and sentence. This argument is frivolous. The relevant Superior Court decision affirmed the dismissal of plaintiff's state habeas petition as untimely; it did not in any way "call into question" or otherwise invalidate his sentence. See generally *Commonwealth v. Pittman*, No. 1977 MDA 2017, 2018 WL 1386793 (Pa. Super. Ct. Mar. 18, 2018).¹ Plaintiff's third argument is that *Gustafson v. Springfield, Inc.*, 333 A.3d 651 (Pa. 2025) constitutes an intervening change in controlling law. This argument is frivolous. *Gustafson* does not address Heck, and even if it did, a decision by the Pennsylvania Supreme Court cannot overrule the United States Supreme Court on a question of federal constitutional law. Plaintiff's fourth argument relates to *Herrera v. Agents of Pa. Bd. of Probation & Parole*, 132 F.4th 248, 256 (3d Cir. 2025). This argument was already raised—and rejected—in the court's decision denying plaintiff's Rule 59 motion. (See Doc. 10 at 2-3). As the court previously explained, although it is true under *Herrera* that a claim alleging that a prisoner has been held in custody beyond his maximum release date is not barred by Heck, the instant case is distinguishable from *Herrera* because plaintiff complains only that he is being held beyond his minimum release date, not 1 The Superior Court's opinion is not included in the reported judgment in the A.3d reporter and is accordingly cited in its unreported format. his maximum release date. (Id.) Thus, the instant case continues to be barred by Heck because it is a challenge to an ongoing lawful sentence.² Plaintiff's sixth and final argument is that his complaint should be construed as asserting a claim based on the miscalculation of his parole eligibility date that is not barred by Heck because it is functionally an abuse of process claim. (Doc. 11 at 8-14). This argument is frivolous. As the court previously noted in dismissing this case, (see Doc. 7 at 3), claims challenging a state's parole eligibility calculation are subject to the Heck favorable termination rule. See, e.g., *Harper v. DOC*, No. 3:16-CV-2366, 2018 WL 660924, at *2 (M.D. Pa. Feb. 1, 2018); *Cook v. Pa. DOC Personnel at SCI-Huntingdon*, No. 1:11-CV-259, 2011 WL 950138, at *2 (M.D. Pa. Mar. 16, 2011); *Benson v. N.J. State Parole Bd.*, 947 F. Supp. 827, 831-33 (D.N.J. 1996). Thus, because plaintiff has not presented a 2 Plaintiff argues that contrary to the court's conclusion, he has been imprisoned beyond his maximum release date, because his current sentence is unconstitutional, and he is therefore being held beyond the maximum release date of a previous sentence. (Doc. 11 at 6-7). This argument presupposes the success of plaintiff's other argument that his claim may proceed despite the Heck bar because of plaintiff's assertion that his sentence is unconstitutional. As noted above, however, to proceed under Heck, plaintiff must show that a previous judicial ruling deemed his sentence unconstitutional and cannot simply assert that the sentence is unconstitutional in the instant case. sufficient basis for reconsideration, his motion for relief from judgment will be denied.

III. CONCLUSION

For the foregoing reasons, plaintiff's motion to alter or amend judgment is denied. An appropriate

order shall issue. s/ Malachy E. Mannion

MALACHY E. MANNION

United States District Judge DATED: November 21, 2025 24-2203-02

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