

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA**

Brian M. Webb v. Lawrence County Housing Authority, et al.

Webb · No. 2:25-CV-597 · Decided December 22, 2025

OPINION

WEBB

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
BRIAN M. WEBB,)

) Plaintiff,)) 2:25-CV-597 vs.)) Hon. J. Nicholas Ranjan

LAWRENCE COUNTY HOUSING)

A D U I M T U H C O C R H I T I Y O ; , and JASON)) Magistrate Judge Maureen P. Kelly)
Defendants.)

MEMORANDUM ORDER

On March 28, 2025, pro se Plaintiff Brian Webb filed a complaint (ECF 5) alleging civil claims arising out of his arrest and incarceration as a parole violator. The matter was referred to Magistrate Judge Maureen P. Kelly for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court applicable to Magistrate Judges. Currently before the Court is a Report & Recommendation (ECF 9) filed by Judge Kelly on August 12, 2025. Judge Kelly recommended that the Court dismiss the case as frivolous, malicious, and/or failing to state a claim upon which relief can be granted, pursuant to the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B) (requiring federal courts to screen complaints filed by prisoners proceeding in forma pauperis). Judge Kelly relied on the Supreme Court’s decision in *Heck v. Humphrey*, finding that a judgment in Mr. Webb’s favor would necessarily call into question the validity of his prior convictions; therefore, his claims should be dismissed without prejudice, allowing for refiling if Mr. Webb were to receive a favorable termination in his underlying criminal proceedings. 512 U.S. 477, 486-87 (1994) (requiring that plaintiffs seeking “damages for allegedly unconstitutional conviction or imprisonment. . . 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”). The parties were notified that objections to the Report & Recommendation were due by August 29, 2025. No objections were filed. Upon a review of the record of this matter and the Report and Recommendation, the Court finds no clear error on the face of the record, and therefore enters the following order. AND NOW, this 22nd day of

December, 2025, it is hereby ORDERED that the case is DISMISSED WITHOUT PREJUDICE. The Report & Recommendation is adopted as the opinion of the Court. BY THE COURT: /s/ J. Nicholas Ranjan United States District Judge cc: Brian M. Webb Lawrence County Jail 111 S. Milton Street New Castle, PA 16101

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