No. 24-993

IN THE
Supreme Court of the United States

GABRIEL OLIVIER,

Petitioner,

v.

CITY OF BRANDON, MISSISSIPPI, et al.,

Respondents.

On Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

BRIEF OF *AMICI CURIAE* HUMAN RIGHTS DEFENSE CENTER AND AMERICAN ASSOCIATION FOR JUSTICE IN SUPPORT OF PETITIONER

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INTERESTS OF *AMICI CURIAE*[1]

The Human Rights Defense Center is a 501(c)(3) non-profit organization that advocates on behalf of the human rights of people held in U.S. detention facilities. This includes people in state and federal prisons, local jails, immigration detention centers, civil commitment facilities, Bureau of Indian Affairs jails, juvenile facilities and military prisons. HRDC is one of the few national opponents to the private prison industry and is the foremost advocate on behalf of the free speech rights of publishers to communicate with prisoners and the right of prisoners to receive publications and communications from outside sources. HRDC also does significant work around government transparency and accountability issues. HRDC publishes and distributes self-help reference books for prisoners, and engages in litigation, media campaigns and outreach, public speaking and education, and testimony before legislative and regulatory bodies.

The American Association for Justice ("AAJ") is a national, voluntary bar association established in 1946 to strengthen the civil justice system, preserve the right to trial by jury, and protect access to the courts for those who have been wrongfully injured. With members in the United States, Canada, and abroad, AAJ is the world's largest plaintiff trial bar. AAJ members primarily represent plaintiffs in personal injury actions, employment rights cases, consumer cases, and other civil actions, including civil rights cases.

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[1] Pursuant to Supreme Court Rule 37, *amici* state that no counsel for any party authored this brief in whole or in part, and that no entity or person other than *amici* and their counsel made any monetary contribution intended to fund the preparation or submission of this brief.

Throughout its 79-year history, AAJ has served as a leading advocate for the right of all Americans to seek legal recourse for wrongful conduct. AAJ members are concerned that affirmance of the decision below will deprive a wide swath of victims of the remedy Congress intended for those deprived of their constitutional rights.

This case directly implicates *amici*'s work because the Fifth Circuit's rule restricts the ability to access courts to seek redress for or prospective relief against rights violations, including for incarcerated people.

INTRODUCTION AND SUMMARY OF ARGUMENT

The Court should reverse the Fifth Circuit's unwarranted extension of *Heck* v. *Humphrey*, 512 U.S. 477 (1994), which improperly bars § 1983 suits seeking only prospective relief. *Heck* was meant to serve a narrow purpose: to channel challenges to the validity of a conviction or confinement into habeas, where the statutory exhaustion requirements apply. See *Heck*, 512 U.S. at 481–83. That limitation ensures that habeas remains the exclusive remedy for attacks on existing convictions and sentences, while preserving § 1983's essential role in vindicating constitutional rights.

The concerns underlying *Heck* have no application where a plaintiff does not—and cannot—seek habeas relief. When an individual seeks only to prevent the future enforcement of an unconstitutional law, or when habeas is unavailable because the person is not, or is no longer, "in custody," there is no conflict between § 1983 and the habeas statute. In those circumstances, § 1983 provides the only meaningful avenue for relief. To bar such claims deprives people of the "fundamental constitutional right of access to the

courts" recognized in this Court's precedents. See *Bounds* v. *Smith*, 430 U.S. 817, 821–25 (1977).

The Fifth Circuit's approach wrongly closes the courthouse doors in just this way. By reading *Heck* to foreclose all § 1983 claims that might "possibly" imply the invalidity of a conviction or punishment—whether past or prospective—the Fifth Circuit leaves people with no remedy at all. That perverse outcome is at odds with the text of § 1983, which authorizes "[a]ny citizen" to seek redress for violations of constitutional rights, 42 U.S.C. § 1983, and with this Court's decisions distinguishing between retrospective and prospective relief. See, *e.g.*, *Wilkinson* v. *Dotson*, 544 U.S. 74, 81–82 (2005); *Wooley* v. *Maynard*, 430 U.S. 705, 711–12 (1977).

The Fifth Circuit's rule has severe consequences. For people previously convicted under unconstitutional laws, it denies the opportunity to secure forward-looking relief against future enforcement. For prisoners or other people never eligible for habeas in the first place (like Mr. Olivier), it extinguishes their only avenue to vindicate their rights.

This Court's precedents make clear that prospective relief under § 1983 neither undermines habeas nor threatens the finality of prior convictions. Injunctions operate prospectively, not retroactively; they regulate future conduct without annulling past judgments. Applying *Heck* to bar such claims needlessly sacrifices access to the courts, a fundamental constitutional right.

The Court should restore the proper scope of *Heck*, confirm that § 1983 remains available for prospective challenges, and reaffirm the principle that access to courts to vindicate constitutional rights is itself a fundamental constitutional guarantee.

ARGUMENT

I. Access to courts to protect fundamental rights is itself a fundamental constitutional right.

"The right of access to the courts . . . is founded in the Due Process Clause[,] and assures that no person will be denied the opportunity to present to the judiciary allegations concerning violations of fundamental constitutional rights." *Wolff* v. *McDonnell*, 418 U.S. 539, 579 (1974). "[H]abeas corpus and civil rights actions," in particular, "are of 'fundamental importance . . . in our constitutional scheme' because they directly protect our most valued rights." *Bounds*, 430 U.S. at 827 (quoting *Johnson* v. *Avery*, 393 U.S. 483 (1969)). As a result, this Court's precedents are replete with decisions protecting "the fundamental constitutional right of access to the courts," especially for prisoners seeking to vindicate their rights. *Bounds*, 430 U.S. at 821–25 (collecting cases); *see also Lewis* v. *Casey*, 518 U.S. 343, 351 (1996) (describing the "35-year line of access-to-courts cases on which *Bounds* relied").

Access to courts to protect these rights is critical. "[T]he right to due process reflects a fundamental value in our American constitutional system." *Boddie* v. *Connecticut*, 401 U.S. 371, 374 (1971). "American society . . . bottoms its systematic definition of individual rights and duties, as well as its machinery for dispute settlement, not on custom or the will of strategically placed individuals, but on the common-law model. It is to courts, or other *quasi*-judicial official bodies, that we ultimately look for the implementation of a regularized, orderly process of dispute settlement." *Id.* at 375. But for that system to be effective, individuals must be able to access it to advocate for the protection of their

rights. "[D]enial of a [party's] full access to that process raises grave problems for its legitimacy." *Id.* at 376.

Section 1983 plays a vital role in facilitating that all-important access to courts. "Since 1871, when it was passed by Congress, § 1983 has stood as an independent safeguard against deprivations of federal constitutional and statutory rights." *Smith* v. *Robinson*, 468 U.S. 992, 1012 (1984). Section 1983 "'throw[s] open the doors of the United States courts' to individuals who were threatened with, or who had suffered, the deprivation of constitutional rights, and . . . provide[s] these individuals immediate access to the federal courts." *Patsy* v. *Bd. of Regents*, 457 U.S. 496, 504 (1982). Against that background, this Court "do[es] not lightly conclude that Congress intended to preclude reliance on § 1983 as a remedy" for federal rights violations. *Smith*, 468 U.S. at 1012.

II. The Fifth Circuit's extension of *Heck* to purely prospective claims wrongly deprives litigants of access to courts.

By extending *Heck* to bar purely prospective § 1983 claims, the Fifth Circuit slammed the courthouse doors shut on innumerable would-be litigants seeking to vindicate their constitutional rights. Under the Fifth Circuit's view, people suffering ongoing or future violations of their constitutional rights are left without any remedies. This interpretation stretches *Heck* beyond its reasoning and unnecessarily insulates ongoing constitutional violations from challenge.

The Fifth Circuit's rule wrongly prevents people, including those who are or have been imprisoned, from securing relief against ongoing or future violations of their rights.

A. The Fifth Circuit's rule leaves people without the ability to vindicate their rights.

The Fifth Circuit's rule closes the courthouse doors on those most in need of access to courts to vindicate their rights, with no basis in statutory text. Both § 1983 and habeas "provide access to a federal forum for claims of unconstitutional treatment at the hands of state officials." *Heck*, 512 U.S. at 480. Section 1983 allows "*any* citizen" (emphasis added) who has been deprived of "any rights, privileges, or immunities secured by the Constitution and laws" by someone acting under color of state law to bring a claim to vindicate those rights. Habeas corpus, meanwhile, permits prisoners to seek release when they are being held "in violation of the Constitution or laws or treaties of the United States." 28 U.S.C. § 2254(a).

Heck involved "the intersection" of § 1983 and habeas, where a § 1983 claim would "call into question the lawfulness of" a state prisoner's "conviction or confinement," which is typically a habeas issue. *Heck*, 512 U.S. at 481–83. Under those circumstances, this Court read an implied—but narrow—exception into § 1983, to channel claims challenging a conviction through habeas, where they belong. *Id.* In other words, where a litigant might otherwise have been able to pursue either a § 1983 claim or a habeas claim, this Court held that § 1983 claims are not cognizable because the litigant must seek any relief through habeas instead. *Id.* at 482–83.

The Fifth Circuit's expansion of *Heck*, however, creates circumstances in which a person has *neither* a cognizable § 1983 claim *nor* a habeas claim. For example, if someone was never in custody, or if she was not in custody long enough to exhaust the habeas process, she cannot prevail on a habeas claim and therefore has

no remedy. See Pet'r Br. 41–45. But under the Fifth Circuit's view, that person also cannot bring a § 1983 claim, even for prospective relief. In other words, the perverse result of the decision below is that a litigant who otherwise might have had two different avenues to a federal forum to vindicate constitutional rights now has none.

Furthermore, those people left without any remedy are those most likely to need one. According to the Fifth Circuit, any person who has previously been convicted of violating a law cannot seek prospective relief against that law's future enforcement. But those who have been convicted of violating a (perhaps unconstitutional) law in the past are more likely to be able to establish a "risk of future injury under the ordinance" if they intend to continue violating the law. See *Olivier* v. *City of Brandon,* 121 F.4th 511, 512 (5th Cir. 2024) (Ho, J., dissenting) (mem.), *citing Susan B. Anthony List* v. *Driehaus*, 573 U.S. 149, 164 (2014) ("[P]ast enforcement . . . is good evidence that the threat of enforcement is not 'chimerical.'"). If that individual believes the ordinance violates his or her constitutional rights, § 1983 provides a federal forum for that individual to make those arguments. Yet the Fifth Circuit's interpretation of *Heck* has the perverse result of closing the courthouse doors to that individual entirely.

B. Prisoners in particular have an acute need to access courts to challenge unconstitutional prison policies.

Closing the courthouse doors is particularly harmful to prisoners seeking prospective relief against unconstitutional policies applied to them in prisons. The court's ruling in *Clarke*, on which the decision below relied, App. 8a–10a, is a prime example. The plaintiff in *Clarke* was disciplined for violating a prison rule

that prohibited "threatening a prison employee with legal redress during a confrontational situation." *Clarke* v. *Stalder*, 154 F.3d 186, 188 (5th Cir. 1998) (cleaned up). He was punished with "the loss of ten days good-time credit" and a transfer "to a higher-security prison." *Id.* He then brought a § 1983 suit seeking damages, the restoration of his good-time credits, and "prospective injunctive relief" under the First Amendment against the rule's future enforcement against him. See *id.* The Fifth Circuit panel rejected the retrospective-relief claims as *Heck*-barred, but reached the merits of the prospective-relief claim, holding the prison rule facially unconstitutional. *Id.* at 187.

The *en banc* Fifth Circuit, however, held that *Heck* barred all these claims—including the claim for injunctive relief. In the court's view, "a facial declaration of the unconstitutionality of" the prison's rule "would 'necessarily imply' the invalidity of his loss of good-time credits"—meaning it "would 'necessarily imply' the invalidity of his punishment." *Id.* at 189–90. In the Fifth Circuit, even such prospective, "broad-based attacks" on prison policies "must be pursued initially through habeas corpus." *Id.* at 190 (cleaned up) (quoting *Serio* v. *Members of La. State Bd. of Pardons*, 821 F.2d 1112, 1119 (5th Cir. 1987)).

As the *Clarke* dissenters explained, by requiring resort to habeas even for purely prospective challenges to prison policies, the Fifth Circuit's rule requires "a waste of judicial time and resources." *Id.* at 194 (Garza, J., dissenting). "It is not necessary for [a plaintiff] to have a lower court conduct *Habeas Corpus* proceedings" to adjudicate such prospective claims. *Id.* "At best," a successful prospective claim "could 'possibly imply' the invalidity of" the underlying disciplinary action, which is not enough to trigger *Heck*. *Id.* at 191.

That follows both from the distinction between retrospective and prospective relief and from the fact that (as *Heck* itself noted) various doctrines could prevent even a successful prospective-relief claim from implying that the plaintiff was unlawfully punished. See *id.* at 195–96 (Dennis, J., dissenting); App. 50a (Oldham, J., dissenting).

By requiring such wasteful and protracted habeas proceedings, the Fifth Circuit's rule insulates unconstitutional prison policies from judicial review—either temporarily or permanently. A habeas challenge can take years to adjudicate, during which the plaintiff remains subject to the unconstitutional policy. At worst, a merits resolution will never come. If, for example, a habeas court determines that the application of the challenged policy was irrelevant to the ultimate discipline imposed—possibly because there were other grounds for discipline—it need not resolve the issue at all. Cf. *Clarke*, 154 F.3d at 195–96 (Dennis, J., dissenting).

The Fifth Circuit's approach also exacerbates a related issue. Because prison disciplinary proceedings are treated as "convictions" under *Heck* to the extent they result in the loss of good-time credits, courts often apply *Heck* to reject § 1983 claims alleging excessive force by prison guards if the prisoner's allegations contradict the version of events accepted in the disciplinary proceedings. See Devi M. Rao, *The* Heck *Bar Gone Too Far*: Heck*'s Application to Prisoners' Excessive Force Suits*, 17 Harv. L. & Pol'y Rev. 365, 373–76 (2023) (discussing *Santos* v. *White*, 18 F.4th 472 (5th Cir. 2021)). By itself, that approach creates perverse incentives by providing "a unique opportunity for prison officials to forever insulate themselves from liability—and federal-court review—by simply falsify-

ing a disciplinary report." *Id.* at 377; see also Jan Ransom, *In N.Y.C. Jail System, Guards Often Lie About Excessive Force*, N.Y. Times (Apr. 24, 2021), https://tinyurl.com/mvez8cw5 (describing recurring instances of prison guards lying to investigators or filing incomplete or inaccurate reports). Extending *Heck* to bar purely prospective claims just worsens the problem: A prisoner who faces an ongoing pattern of excessive force and physical abuse cannot point to past incidents of abuse to secure injunctive relief under § 1983 if prison officials have punished him with lost good-time credits based on guards' falsified accounts of their actions. And to make matters worse, the Fifth Circuit's application of these rules in the prison-discipline context is "byzantine and inadministrable." Rao, supra, at 378–79.

For these reasons, the Fifth Circuit's approach "subverts the federal courts' role as arbiters of federal rights." *Id.* at 377.

III. Prospective relief targets future enforcement and policy, not past convictions.

Applying the *Heck* bar to § 1983 claims seeking solely prospective relief is not necessary to (1) avoid interfering with habeas or (2) protect the integrity of past convictions.

Habeas is about seeking relief from existing convictions—it allows "a person in custody" to seek earlier or immediate release from confinement. 28 U.S.C. § 2254(a). "Habeas is the exclusive remedy . . . for the prisoner who seeks 'immediate or speedier release' from confinement." *Skinner* v. *Switzer*, 562 U.S. 521, 525 (2011) (quoting *Wilkinson* v. *Dotson*, 544 U.S. 74, 82 (2005)). "Where the prisoner's claim would not 'necessarily spell speedier release,' however, suit may be

brought under § 1983." *Id.* (quoting *Wilkinson*, 544 U.S. at 82).

Purely prospective relief seeking to bar future enforcement of a law "does not result in immediate or speedier release into the community or necessarily imply the invalidity of a prior conviction or sentence." App. 47a (Ho, J., dissenting) (cleaned up); *id.* at 50a (Oldham, J., dissenting). In *Wilkinson*, for example, this Court held that prisoners could bring § 1983 claims challenging allegedly unconstitutional procedures used at their parole hearings. The prisoners sought prospective relief in the form of new parole hearings conducted using constitutionally proper procedures. This Court reasoned that those "claims for *future* relief (which, if successful, will not necessarily imply the invalidity of confinement or shorten its duration)" were "distant from" the "core of habeas corpus." 544 U.S. at 75, 82. Thus, allowing § 1983 claims where the relief sought challenges purely prospective application of a law does not interfere with habeas.

Nor does an injunction seeking purely prospective relief call into question the validity of a past conviction. A suit seeking "wholly prospective [relief], to preclude further prosecution under a statute alleged to violate [the plaintiff's] constitutional rights," "is in no way 'designed to annul the results of a state trial'" that produced a prior conviction under the challenged law. *Wooley*, 430 U.S. at 711–12. "Ordinarily," then, "a prayer for such prospective relief will not 'necessarily imply' the invalidity of a previous [conviction or] loss of good-time credits, and so may properly be brought under § 1983." *Edwards* v. *Balisok*, 520 U.S. 641, 648 (1997); see *Skinner*, 562 U.S. at 525 (while the petitioner's aim was to establish his innocence and achieve release from custody, success in his § 1983 suit would not necessarily result in release).

"Injunctions do not work backwards to invalidate official actions taken in the past." App. 50a (Oldham, J., dissenting). Accordingly, a forward-looking injunction to "prevent future official enforcement actions" does not *necessarily* invalidate a past conviction entered before the injunction took effect. *Id.*; see also Pet'r Br. 20. That is consistent with how courts treat changes in the law, which generally (with few exceptions) do not apply retroactively to call into question past convictions that have become final. Cf. *Teague* v. *Lane*, 489 U.S. 288, 310 (1989) (plurality op.) (holding that "new constitutional rules of criminal procedure will not be applicable to those cases which have become final before the new rules are announced").

The Fifth Circuit's approach otherwise leads to illogical results. The *Heck* bar, according to the Fifth Circuit, precludes a person who has been convicted of violating a law—call him John Doe—from bringing a § 1983 claim challenging that law as unconstitutional. But *Heck* does not preclude a *different* person who was not previously convicted of violating that same law—Jane Smith—from bringing such a claim. And if Jane Smith succeeds in obtaining an injunction barring future enforcement of the law, that prospective relief would not invalidate John Doe's past conviction. The result is no different, however, if John Doe, instead of Jane Smith, brings the claim for prospective relief. In both situations, the impact of the § 1983 claim is only prospective. Its outcome says nothing about past convictions. So the Fifth Circuit's overbroad reading of *Heck* is unnecessary to protect the integrity of those convictions.

IV. Extending *Heck* to plaintiffs with no habeas path is particularly harmful to current and former prisoners' civil rights.

By applying *Heck* even where habeas is not available, the Fifth Circuit further extends the doctrine beyond its reasoning and prevents people from vindicating their rights altogether.

Since the passage of the Anti-terrorism and Effective Death Penalty Act of 1996, "[t]he combination of AEDPA's habeas restrictions and *Heck*'s bar on certain § 1983 claims may leave many prisoners with valid but unremedied constitutional claims." See Note, *Defining the Reach of* Heck v. Humphrey*: Should the Favorable Termination Rule Apply to Individuals who Lack Access to Habeas Corpus?*, 121 Harv. L. Rev. 868, 869 (2008). *Heck*'s rule reflects Congress's determination "that habeas corpus is the appropriate remedy for state prisoners attacking the validity of the fact or length of their confinement." 512 U.S. at 482 (quoting *Preiser*, 411 U.S. at 490). But that rationale has no force where a prisoner has been released, or where a person (like Mr. Olivier) was never imprisoned to begin with. Nor can a § 1983 suit have preclusive effect in habeas proceedings where habeas is unavailable. Cf. *id.* at 488 n.9.

Thus, "the interests that the Court felt were at stake in *Heck* and *Preiser*"—"preventing an end-run around the [habeas] exhaustion requirement and ensuring that § 1983 does not serve as even an indirect basis for undoing state criminal convictions"—are "not compromised in cases in which habeas relief is unavailable." *Defining the Reach*, supra, at 882. And "the state interests in denying remedies under § 1983 are simply not so substantial as to deny access to the federal forum for inmates"—or other litigants seeking to vindicate their constitutional rights—"who are ineligible for

habeas and who seek relief for constitutional deprivations." *Id.* at 888. Unlike habeas claims, § 1983 claims "do not reduce the certitude that the convicted criminal will serve the sentence that the state has imposed upon him." *Id.* at 886. Likewise, even a successful § 1983 claim "does not result in the *undoing* of a criminal conviction." *Id.* at 887 (emphasis added). On the other hand, "when *Heck* is invoked to bar claims by individuals who no longer have access to habeas corpus," either because they are no longer in custody or were never incarcerated to begin with, "a curious remedial oddity results: less serious constitutional claims remain cognizable in § 1983, while more serious constitutional claims—those that would necessarily imply the invalidity of petitioner's conviction—go unremedied entirely." *Id.* at 889.

"The better view" of *Heck*¸ then, "is that a former prisoner, no longer 'in custody,' may bring a § 1983 action establishing the unconstitutionality of a conviction or confinement without being bound to satisfy a favorable termination requirement that it would be impossible as a matter of law for himself to satisfy." *Spencer* v. *Kemna,* 523 U.S. 1, 20–21 (1998) (Souter, J., concurring).

V. Access to courts is especially critical for incarcerated people.

The "better view" of *Heck*—that § 1983 claims may proceed where success would not *necessarily* call into question the validity of a conviction or the length of confinement—does more than safeguard constitutional rights in the abstract. It accords with the Constitution's longstanding protection of access to the courts, particularly for prisoners, who are uniquely under the government's control. See, *e.g., Ex parte Hull*, 312 U.S. 546, 549 (1941) (stating that "the state and its officers may not abridge or impair petitioner's right

to apply to a federal court for a writ of habeas corpus"); *Bounds*, 430 U.S. at 821–23 (recognizing prisoners' right of meaningful access to courts); *Lewis*, 518 U.S. at 343 (clarifying that *Bounds* "acknowledged [ ] the right of access to the courts").

A. Prisoners uniquely rely on judicial oversight and have limited alternative remedies.

People in custody live under total institutional control. Day-to-day decisions affecting their liberty, safety, speech, and bodily integrity are made by officials operating behind walls, often shielded from public view. In that environment, external judicial review is frequently the only effective check on constitutional violations that otherwise may never surface. This Court has therefore guarded prisoners' ability to reach the judiciary, forbidding administrative gatekeeping of legal filings and requiring that the government provide meaningful access to courts. See, *e.g.*, *Ex parte Hull*, 312 U.S. at 549; *Bounds*, 430 U.S. at 821–23.

That context matters here. While conditions of confinement are not at issue in Mr. Olivier's case, an interpretation of *Heck* that uniquely impedes incarcerated litigants' ability to seek prospective injunctive relief under § 1983 would erode the very access this Court has insisted must remain open. Restraints on prisoners' ability to access the courts—by their mere status as a current or former prisoner—risks impairing prisoners' access to the only remedial avenue that may be available to them.

B. Habeas is not an adequate remedy in all cases.

Habeas does not provide an adequate remedy for ongoing constitutional violations. Prisoners subject to unconstitutional prison policies may have their rights

violated daily. The habeas process, however, is slow and narrowly targeted at release. Many prisoners complete short sentences before habeas litigation can even begin, much less conclude; others are never "in custody" in a way that permits habeas at all (for example, those convicted of fine-only ordinance violations or those released from confinement). See *Spencer*, 523 U.S. at 19 (Souter, J., concurring) (stating that for a released prisoner, where habeas is unavailable, it would be "unsound" to bar § 1983). If *Heck* were read to foreclose § 1983 actions unless and until a favorable termination occurs—even when habeas is unavailable or ill-suited—serious constitutional injuries would go unremedied and ongoing harms would continue unchecked during and after confinement. This Court's precedent avoids that mismatch by permitting § 1983 claims for prospective and other relief that do not necessarily call a conviction's validity into question. See, *e.g.*, *Wilkinson*, 544 U.S. at 82.

C. Allowing § 1983 claims promotes judicial economy.

Allowing incarcerated (or recently incarcerated) people to litigate constitutional challenges under § 1983 promotes judicial economy and accelerates resolution of important questions. These people are uniquely motivated to challenge the violation, as the person actually subjected to the challenged policy or ordinance has the strongest incentive to bring a focused claim, assemble the relevant record, and obtain prompt forward-looking relief. Early adjudication by those best positioned to litigate prevents ongoing violations and reduces repetitive litigation by later, similarly situated plaintiffs.

The contrary rule, adopted by the Fifth Circuit, illogically silences the litigant most motivated and best positioned to challenge an unconstitutional policy, while

inviting only strangers or future victims to sue. Nothing in *Heck* or *Preiser* requires that inefficiency. The better reading—fully consistent with this Court's access-to-courts jurisprudence and with the limited role of habeas—permits § 1983 actions that do not necessarily imply invalidity of a prior conviction, particularly when the plaintiff seeks only forward-looking relief. That approach protects constitutional rights, channels disputes into the proper procedural vehicle, and avoids uniquely excluding prisoners from the courthouse.

CONCLUSION

For these reasons, the Court should reverse the decision below.

Respectfully submitted,

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