Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.,* 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

WILKINSON, DIRECTOR, OHIO DEPARTMENT OF REHABILITATION AND CORRECTION, ET AL. *v.* DOTSON ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

No. 03–287. Argued December 6, 2004—Decided March 7, 2005

Respondents Dotson and Johnson are Ohio state prisoners. After parole officials determined that Dotson was not eligible for parole and that Johnson was not suitable for parole, they brought separate actions for declaratory and injunctive relief under 42 U. S. C. §1983, claiming that Ohio's parole procedures violate the Federal Constitution. In each case, the Federal District Court concluded that a §1983 action does not lie and that the prisoner would have to seek relief through a habeas corpus suit. The Sixth Circuit ultimately consolidated the cases and reversed, finding that the actions could proceed under §1983.

Held: State prisoners may bring a §1983 action for declaratory and injunctive relief challenging the constitutionality of state parole procedures; they need not seek relief exclusively under the federal habeas corpus statutes. Pp. 3–10.

(a) Ohio argues unsuccessfully that respondents' claims may only be brought in federal habeas (or similar state) proceedings because a state prisoner cannot use a §1983 action to challenge "the fact or duration of his confinement," *e.g., Preiser* v. *Rodriguez,* 411 U. S. 475, 489, and respondents' lawsuits, in effect, collaterally attack their confinements' duration. That argument jumps from a true premise (that in all likelihood the prisoners hope their suits will help bring about earlier release) to a faulty conclusion (that habeas is their sole avenue for relief). This Court's case law makes clear that the connection between the constitutionality of the prisoners' parole proceedings and release from confinement is too tenuous here to achieve Ohio's legal

Syllabus

door-closing objective. From *Preiser* to *Edwards* v. *Balisok*, 520 U. S. 641, this Court has developed an exception from §1983's otherwise broad scope for actions that lie "within the core of habeas corpus," *Preiser, supra,* at 487, *i.e.*, where a state prisoner requests present or future release. Section 1983 remains available for procedural challenges where success *would not necessarily* spell immediate or speedier release for the prisoner, *e.g., Wolff* v. *McDonnell*, 418 U. S. 539, but the prisoner cannot use §1983 to obtain relief where success *would necessarily* demonstrate the invalidity of confinement or its duration, *e.g., Heck* v. *Humphrey*, 512 U. S. 477. Here, respondents' claims are cognizable under §1983, *i.e.*, they do not fall within the implicit habeas exception. They seek relief that will render invalid the state procedures used to deny parole eligibility (Dotson) and parole suitability (Johnson). See *Wolff*, *supra,* at 554–555. Neither prisoner seeks an injunction ordering his immediate or speedier release into the community. See, *e.g., Preiser, supra*, at 500. And as in *Wolff*, a favorable judgment will not "necessarily imply the invalidity of [their] conviction[s] or sentence[s]." *Heck*, *supra,* at 487. Success for Dotson does not mean immediate release or a shorter stay in prison; it means at most new eligibility review, which may speed *consideration* of a new parole application. Success for Johnson means at most a new parole hearing at which parole authorities may, in their discretion, decline to shorten his prison term. Because neither prisoner's claim would necessarily spell speedier release, neither lies at "the core of habeas corpus." *Preiser, supra*, at 489. Finally, the prisoners' claims for *future* relief (which, if successful, will not necessarily imply the invalidity of confinement or shorten its duration) are yet more distant from that core. See *Balisok*, *supra,* at 648. Pp. 3–8.

(b) Ohio's additional arguments—(1) that respondents' §1983 actions cannot lie because a favorable judgment would "necessarily imply the invalidity of [their] *sentence[s],*" *Heck, supra,* at 487 (emphasis added), which sentences include particular state parole procedures; and (2) that a decision for them would violate principles of federal/state comity by opening the door to federal court without prior exhaustion of state-court remedies—are not persuasive. Pp. 8–10.

329 F. 3d 463, affirmed and remanded.

BREYER, J., delivered the opinion of the Court, in which REHNQUIST, C. J., and STEVENS, O'CONNOR, SCALIA, SOUTER, THOMAS, and GINSBURG, JJ., joined. SCALIA, J., filed a concurring opinion, in which THOMAS, J., joined. KENNEDY, J., filed a dissenting opinion.