

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LUIS SIERRA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 26-315-JLH-EGT
	)	
JOSHUA L. NIBLETT et al.,	)	
	)	
Defendants.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

At Wilmington, this 14th day of July 2026:

WHEREAS, on March 23, 2026, Plaintiff Luis Sierra filed this action *pro se* (D.I. 3) and proceeds *in forma pauperis*;

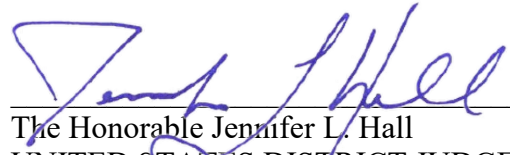
WHEREAS, on April 20, 2026, Plaintiff filed an Amended Complaint (D.I. 11);

WHEREAS, on April 23, 2026, this case was referred to Magistrate Judge Eleanor G. Tennyson for screening pursuant to 28 U.S.C. §§ 1915/1915A only (D.I. 12);

WHEREAS, on June 12, 2026, Magistrate Judge Tennyson issued a Report and Recommendation (“R&R”) (D.I. 13) recommending that Plaintiff’s Amended Complaint be dismissed without prejudice under 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1) because all claims are likely barred under *Heck v. Humphrey*, 512 U.S. 477 (1994);

WHEREAS, no party filed objections pursuant to Federal Rule of Civil Procedure 72(b)(2) in the prescribed period, and the Court finds no clear error on the face of the record;

THEREFORE, IT IS HEREBY ORDERED that the R&R (D.I. 13) is ADOPTED. Plaintiff's Amended Complaint is DISMISSED WITHOUT PREJUDICE. Plaintiff is granted leave to file a Second Amended Complaint within 30 days of this Order. Failure to file a Second Amended Complaint will result in the case being closed.



The Honorable Jennifer L. Hall
UNITED STATES DISTRICT JUDGE