

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

Submitted July 24, 2025*

Decided July 24, 2025

Before

MICHAEL B. BRENNAN, *Circuit Judge*

AMY J. ST. EVE, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

No. 24-1797

TERRY L. PYLES,
Plaintiff-Appellant,

Appeal from the United States District
Court for the Central District of Illinois.

v.

No. 22-cv-1363

RYAN STREBING, et al.,
Defendants-Appellees.

James E. Shadid,
Judge.

ORDER

Terry Pyles is serving a prison sentence in Illinois for trafficking methamphetamine. In this action under 42 U.S.C. § 1983, he claims that police officers

* Appellees Stephen Brown, Joseph Rizzi, and Bloomington Police Department were not served with process in the district court and are not participating in this appeal. We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

violated his constitutional rights while gathering the evidence that led to his prosecution and conviction. The district court dismissed Pyles's complaint at screening, *see* 28 U.S.C. § 1915A, after determining that most of his claims were barred by *Heck v. Humphrey*, 512 U.S. 477, 486–87 (1994), and that Pyles had otherwise failed to state a claim. Pyles appeals. Although we agree with Pyles that *Heck* does not bar his claims under the Fourth Amendment, we affirm the district court's judgment. Pyles has failed to state a claim that any defendant violated his rights under the Fourth Amendment.

In September 2022, a confidential source told Bloomington Police Officer Ryan Strebing that Pyles, who was on mandatory supervised release for an Illinois offense, was bringing methamphetamine into Illinois from St. Louis on an Amtrak train. Officers went to the Amtrak station in Normal, Illinois, and waited for Pyles.

Pyles and his then-girlfriend arrived at the station and, after parting ways, were followed and seized by police officers. Pyles's girlfriend left the station in her car and, soon after, officers pulled her over for a traffic violation. Pyles left the station on foot, and he was stopped by two police officers, Alex Freshour and Joseph Rizzi. Officer Rizzi stated that he knew that Pyles was on mandatory supervised release and that the officers were going to conduct a parole search of Pyles's person. Officer Rizzi then asked, "how do you want to play this?" Pyles responded by producing a bag of methamphetamine from his waistband. The officers arrested Pyles, and he was later charged in Illinois state court with trafficking methamphetamine, 720 ILCS 646/56.

In October 2022, while his state criminal case was pending, Pyles sued the officers in federal court, alleging that they had violated Pyles's constitutional rights when they searched, arrested, and imprisoned him. The district court stayed the case until the state criminal proceedings concluded.

An Illinois jury then convicted Pyles of trafficking methamphetamine, and the state court imposed 35 years' imprisonment. On appeal, Pyles argued that the state trial court should have suppressed the methamphetamine because it was the product of an illegal search. But the Illinois Appellate Court concluded that the search did not violate Pyles's constitutional rights given his status as a parolee. *See People v. Pyles*, 2025 IL App (4th) 240220, 2025 WL 1218317.

With Pyles's state criminal case resolved, the district court lifted the stay and allowed Pyles to amend his complaint. The new complaint alleged the same facts, and asserted that Officers Freshour, Rizzi, and Strebing violated Pyles's rights under the Fourth, Fifth, and Fourteenth Amendments by unreasonably stopping and searching

him, falsely arresting him, conspiring to orchestrate the stop and search, falsely imprisoning him, maliciously prosecuting him, and depriving him of a fair trial. See 42 U.S.C. § 1983. Pyles also alleged that Officer Stephen Brown (who testified at the grand jury proceedings) lied under oath, and that the Bloomington Police Department should be held liable under *Monell v. Department of Social Services*, 436 U.S. 658 (1978), for failing to train and supervise its officers.

The district court screened the amended complaint under 28 U.S.C. § 1915A and dismissed it. First, the court determined that Pyles failed to state a claim against Officer Brown. Even assuming Officer Brown had made false statements, a witness is immune from liability for giving perjured testimony before a grand jury. *Kincaid v. Eberle*, 712 F.2d 1023, 1023–24 (7th Cir. 1983). The court also concluded that Pyles’s conclusory statements were insufficient to state a *Monell* claim against the Bloomington Police Department. Finally, the court dismissed the remaining claims without prejudice, reasoning that Pyles’s constitutional claims related to his stop, arrest, and criminal trial were barred by *Heck* because success on any of those claims would imply the invalidity of his state conviction. Pyles moved to reconsider, but the court denied that motion.

On appeal, Pyles argues that the district court erred in concluding that his claims against Officers Freshour and Rizzi under the Fourth Amendment for seizing and searching him without probable cause were barred by *Heck*. He contends that success on those claims would not necessarily invalidate his state conviction.

Heck bars a suit for damages under § 1983 if the basis for the suit would undermine a conviction or sentence. 512 U.S. at 487. But “[m]any claims that concern how police conduct searches or arrests are compatible with a conviction.” *Evans v. Poskon*, 603 F.3d 362, 363–64 (7th Cir. 2010); see also *Wallace v. Kato*, 549 U.S. 384, 393–94 (2007). There are narrow exceptions to this rule. For instance, a § 1983 action is barred under *Heck* where the fact of a Fourth Amendment violation is an element of the offense of conviction. See *Heck*, 512 U.S. at 486–87 n.6. (discussing claim for damages for violation of Fourth Amendment right to be free from unreasonable seizure where lawful arrest is an element of underlying crime of resisting arrest). But claims like Pyles’s, in which the Fourth Amendment violations affect only whether the evidence could be presented to a jury, do not necessarily imply the invalidity of the conviction. See *id.* at 487 n.7; *Wallace*, 549 U.S. at 393. This is true “even if no conviction could have been obtained in the absence of the” evidence discovered as a result of the violation. *Dominguez v. Hendley*, 545 F.3d 585, 589 (7th Cir. 2008).

Even though Pyles's Fourth Amendment claims against Officers Rizzi and Freshour are not barred by *Heck*, Pyles has pleaded facts that reveal "he has no legal claim" against them. *See Epstein v. Epstein*, 843 F.3d 1147, 1150 (7th Cir. 2016) (plaintiff pleads himself out of court where he admits facts inconsistent with legal claim). The officers' initial seizure and any related search of Pyles did not offend the Fourth Amendment. Pyles admits that he was on mandatory supervised release (a form of parole) at the time of the stop and was required to consent to a search of his person, 730 ILCS 5/3-3-7(a)(10). Pyles's status lessened his expectation of privacy and enhanced the state's interest in monitoring him. *See United States v. Price*, 28 F.4th 739, 748–50 (7th Cir. 2022). Further, a confidential source told the police that Pyles was transporting methamphetamine from St. Louis to Illinois on an Amtrak train, and officers saw Pyles deboarding that train. Pyles's status plus the tip the officers received provided sufficient reason to stop him. Finally, any claim for false arrest also fails because the officers had probable cause to arrest Pyles when he produced the methamphetamine from his waistband. *See Martin v. Martinez*, 934 F.3d 594, 598 (7th Cir. 2019).

Pyles also argues that officers conspired to unlawfully obtain evidence to justify his seizure by stopping the car that Pyles's girlfriend was driving without reasonable suspicion. But Pyles, who was not in the car, cannot state a claim against the officers for any impermissible seizure of his girlfriend. *See United States v. Dixon*, 137 F.4th 592, 601 (7th Cir. 2025) ("Fourth Amendment rights are personal. They may not be asserted vicariously, on behalf of others.") And § 1983 does not permit an independent claim of conspiracy absent an underlying constitutional violation. *See Archer v. Chisholm*, 870 F.3d 603, 620 (7th Cir. 2017).

Accordingly, we MODIFY the judgment to reflect that Pyles's Fourth Amendment claims, which are not barred by *Heck* but instead fail on the merits, are dismissed with prejudice. *See St. John v. Cach, LLC*, 822 F.3d 388, 392 (7th Cir. 2016). In all other respects, the judgment is AFFIRMED.