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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,  
Plaintiff,  
v.  
JUDGE JEFFREY HORNER,  
Defendant.

Case No. [16-cv-01179-VC](#) (PR)  
**ORDER OF DISMISSAL WITH  
PREJUDICE**

United States District Court  
Northern District of California

Plaintiff Steven Wayne Bonilla is a state prisoner who filed this pro se complaint against Superior Court Judge Jeffrey Horner challenging the validity of a state court criminal judgment. Bonilla has been disqualified from proceeding in forma pauperis under 28 U.S.C. § 1915(g) unless he is “under imminent danger of serious physical injury” at the time he filed his complaint. 28 U.S.C. 1915(g); In re Steven Bonilla, No. C 11-3180 CW (PR); Bonilla v. Dawson, No. C 13-0951 CW (PR).

The allegations in this complaint do not show that Bonilla was in imminent danger at the time of filing. Therefore, he may not proceed in forma pauperis. Furthermore, even if he pays the filing fee he may not proceed because, even liberally construed, the allegations do not state a claim for which relief may be granted and amendment would be futile. See 28 U.S.C. § 1915A(a). Moreover, this lawsuit is barred under Heck v. Humphrey, 512 U.S. 477, 486-87 (1994). Accordingly, the case is dismissed with prejudice.

The clerk shall enter a separate judgment and close the file.

**IT IS SO ORDERED.**

Dated: March 16, 2016

  
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VINCE CHHABRIA  
United States District Judge