

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,

Plaintiff,

v.

CLAUDIA WILKEN, et al.,

Defendants.

Case No. [16-cv-03308-VC](#) (PR)

**ORDER DENYING MOTION FOR  
LEAVE TO PROCEED IN FORMA  
PAUPERIS AND DISMISSING  
COMPLAINT WITH PREJUDICE**

Re: Dkt. No. 3

Plaintiff Steven Wayne Bonilla is a state prisoner who alleges constitutional violations against District Court Judges Claudia Wilken and Yvonne Gonzalez Rogers. 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, he may not proceed even if he pays the filing fee because federal judges are absolutely immune from suit for damages for judicial acts taken within the jurisdiction of their courts. *Mireles V. Waco*, 502 U.S. 9, 9 (1991). This judicial immunity also applies to actions for declaratory, injunctive and other equitable relief. *Mullis v. Bankruptcy Court for the District of Nevada*, 828 F.2d 1385, 1394 (9th Cir. 1987). This lawsuit is also barred under *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994).

Accordingly, the motion to proceed in forma pauperis is denied and this complaint is

dismissed with prejudice. The Clerk of the Court shall enter a separate judgment and close the file.

**IT IS SO ORDERED.**

Dated: July 29, 2016



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VINCE CHHABRIA  
United States District Judge