

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,

Plaintiff,

v.

SANDRA MARGULIES,

Defendant.

Case No. [17-cv-00280-VC](#) (PR)

**ORDER OF DISMISSAL WITH
PREJUDICE**

Re: Dkt. No. 2

Plaintiff Steven Wayne Bonilla, a state inmate, has filed a pro se civil action under 42 U.S.C. § 1983 against California Appellate Court Justice Sandra L. Margulies. Bonilla also moves for leave to proceed in forma pauperis. 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, the motion for leave to proceed in forma pauperis is denied. Moreover, even if the IFP application were granted, his lawsuit would be barred under Heck v. Humphrey, 512 U.S. 477, 486-87 (1994). Accordingly, the case is dismissed with prejudice.

This Order terminates docket number 2.

The Clerk shall enter a separate judgment and close the case.

IT IS SO ORDERED.

Dated: January 31, 2017



VINCE CHHABRIA
United States District Judge