

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. [17-cv-03345-VC](#) (PR)

STEVEN WAYNE BONILLA,

Plaintiff,

v.

YVONNE GONZALEZ ROGERS, et al.,

Defendants.

**ORDER OF DISMISSAL WITH
PREJUDICE**

Plaintiff Steven Wayne Bonilla, a state inmate, has filed a *pro se* civil action under 42 U.S.C. § 1983 against District Court Judges Yvonne Gonzalez Rogers and Claudia Wilken for actions they took when presiding over his federal petition for a writ of habeas corpus. 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 cannot proceed *in forma pauperis*. Moreover, even if he could proceed *in forma pauperis*, his lawsuit would be barred under *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994). The suit must also be dismissed because federal judges are absolutely immune from suit for actions taken in their judicial capacity. *See Moore v. Brewster*, 96 F.3d 1240, 1243 (9th Cir. 1996).

Accordingly, the case is dismissed with prejudice. The Clerk shall enter a separate

judgment and close the case.

IT IS SO ORDERED.

Dated: June 16, 2017

A handwritten signature in black ink, consisting of a large, stylized 'V' followed by a horizontal line that extends to the right.

VINCE CHHABRIA
United States District Judge