

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,

Plaintiff,

v.

DONALD COLE BYRD,

Defendant.

Case No. [17-cv-04177-VC](#) (PR)

**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 Donald Cole Byrd, Glenn County Superior Court Judge. Bonilla has been disqualified from proceeding *in forma pauperis* (“IFP”) 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, Bonilla may not proceed IFP. Moreover, his lawsuit is barred under *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994). Accordingly, the case is dismissed with prejudice.

The Clerk shall close the case. The Clerk shall return, without filing, any further documents Bonilla submits after this case is closed.

IT IS SO ORDERED.

Dated: August 24, 2017



VINCE CHHABRIA
United States District Judge