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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

Steven W. BONILLA,

Petitioner,

v.

Vincent CULLEN, Acting Warden of
San Quentin State Prison,

Respondent.

Case Number 08-0471 CW
DEATH PENALTY CASE
Case Number CR 88-259 MISC
AJZ
ORDER

Petitioner Steven Bonilla has been sentenced to death by the Superior Court of California for the County of Alameda. Although his state habeas case is currently being litigated, he has filed a "protective petition" in this Court pursuant to Pace v. DiGuglielmo, 544 U.S. 408 (2005).

Pursuant to Habeas Local Rule 2254-25, this Court earlier granted his request for appointment of counsel and referred this action to the Northern District's Selection Board for the recommendation of qualified counsel to represent Petitioner in

1 these proceedings. Pursuant to Habeas Local Rule 2254-24(a),
2 Petitioner's concurrent request for a stay of execution was also
3 granted.

4 On July 15, 2010, Petitioner filed a pro se pleading
5 containing numerous requests and motions. Pursuant to an order
6 filed July 22, 2010, all of Petitioner's requests and motions
7 were DENIED. Petitioner filed another pro se pleading on July
8 23, 2010. Pursuant to an order filed July 26, 2010, all of
9 Petitioner's requests and motions were DENIED.

10 Petitioner subsequently filed three more pro se pleadings in
11 this matter, one a "Letter of Request" (filed November 18, 2010);
12 one entitled "Damage Control Caused by the Conspiracy to Obstruct
13 Justice" (filed November 22, 2010); and one "Requesting Ruling on
14 Court Order Obtained Under False Pretense" (filed November 23,
15 2010). Pursuant to an order filed November 29, 2010, all of
16 Petitioner's requests and motions were DENIED.

17 Thus far in December 2010, Petitioner has filed three more
18 pro se pleadings in this matter. On December 1, 2010, Petitioner
19 filed a "Motion to Vacate Judgment"; on December 2, 2010,
20 Petitioner filed a letter brief "Regarding the FBI's Conspiracy
21 to Obstruct Justice"; and on December 3, 2010, Petitioner filed a
22 pleading asserting a "Violation of Rules of Criminal Procedure."

23 As with the issues raised in Petitioner's other recent
24 pleadings, the issues in these pleadings are not ripe for this
25 Court to consider. Among other things, as this Court has noted
26 numerous times, Petitioner's state habeas case is still pending
27 in the state court. The Court reiterates to Petitioner that
28 challenges to his state trial conviction must be reviewed by the

1 state courts before being considered in federal court. For the
2 foregoing reasons, all of the requests and motions in
3 Petitioner's pending pleadings are DENIED.

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IT IS SO ORDERED.

DATED: 12/9/2010



CLAUDIA WILKEN
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 STEVEN W. BONILLA,
5 Plaintiff,

Case Number: CV08-00471 CW

CERTIFICATE OF SERVICE

6 v.

7 ROBERT AYERS JR. et al,
8 Defendant.
9 _____/

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
11 Court, Northern District of California.

12 That on December 9, 2010, I SERVED a true and correct copy(ies) of the attached, by placing
13 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
14 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
15 delivery receptacle located in the Clerk's office.

16 California Appellate Project
17 Federal Court Docketing
18 101 Second Street
19 Suite 600
20 San Francisco, CA 94105

21 Habeas Corpus Resource Center
22 303 Second Street, Suite 400 South
23 San Francisco, CA 94107

24 Steven W. Bonilla J-48500
25 CSP-San Quentin
26 CA State Prison at San Quentin
27 San Quentin, CA 94974

28 Dated: December 9, 2010

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk