IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Anthony Ciavone v Wayne Circuit Judge**
Docket No. **285338**
L.C. No. **03-014160-FC**

Donald S. Owens, Judge, acting under MCR 7.211(E)(2), orders:

The motion for reconsideration is DENIED for lack of merit because MCR 6.005(B) and *People v Arquette,* 202 Mich App 227; 507 NW2d 824 (1993), apply to criminal cases instead of a civil matter like the one pending before this Court.

Within 21 days of the certification of this order, plaintiff shall pay the initial, partial filing fee of **$84.00** to the Clerk of this Court and shall submit a copy of this order with the payment. If plaintiff pays the initial, partial filing fee and refiles the pleadings within the time allotted, he may not file another civil appeal or original action in this Court until such time that either the Department of Corrections remits or he pays the entire outstanding balance due. 1999 PA 147, MCL 600.2963(8). If plaintiff does not comply with this order within the time allotted, this Court will not accept the complaint for a writ of superintending control for filing.

If plaintiff pays the initial, partial fee filing fee and refiles the pleadings within the time allotted, monthly payments shall be made to the Department of Corrections in an amount of 50 percent of the deposits made to his account until the payments equal the balance due of **$291.00**. This amount shall then be remitted to this Court. Again, plaintiff may not file an original action or a civil appeal in this Court until he pays the entire outstanding balance due. 1999 PA 147, MCL 600.2963(8).

COURT OF APPEALS OF THE STATE OF MICHIGAN
TUEBOR
CIRCUMSPICE
1965

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 30 2008
Date

Sandra Schultz Mengel
Chief Clerk