

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Allen David Daniel v 16th District Court**
Docket No. **297480**
L.C. No. **09-011407-CZ**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The delayed application for leave to appeal is DISMISSED because appellant, a prisoner under the jurisdiction of the Department of Corrections, filed the subject delayed application for leave to appeal even though he owes outstanding balances of \$351 incurred in Docket No. 271421, \$360 incurred in Docket No. 271448, \$326 incurred in Docket No. 271606, and \$350 incurred in Docket No. 272502. A prisoner who is under the Department's jurisdiction cannot file another civil appeal or original action until the prisoner pays the outstanding balance owed in an earlier civil appeal or original action filed while under the Department's jurisdiction. MCL 600.2963(8).

The motion to waive fees is DENIED as moot.



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

MAY 28 2010

Date

Sandra Schultz Mengel
Chief Clerk