

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Albert Lawrence Bomer Jr v Dept of Corrections**  
Docket No. **298538**  
L.C. No. **09-010815-AA**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The application for leave to appeal is DISMISSED because appellant, a prisoner under the jurisdiction of the Department of Corrections, filed the subject application for leave to appeal even though he owes an outstanding balance of \$375 incurred in *Albert Bomer v Dept of Corrections*, Docket No. 269026. 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). Further, in the July 22, 2010 order denying appellant's motion to waive fees, this Court required appellant to pay the \$375 outstanding balance in Docket No. 269026 in order to proceed with the present appeal, and appellant has failed to do so.

The motion for "reconsideration pursuant to MCL 600.2963" is DENIED.



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

**AUG 30 2010**  
Date

*Sandra Schultz Mengel*  
Chief Clerk