

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **In re Eric Martin**
Docket No. **303978**
L.C. No. **11-006152-AW**

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

The claim of appeal is DISMISSED because appellant, a prisoner under the jurisdiction of the Department of Corrections, filed the subject claim of appeal even though he owes an outstanding balance of \$249 incurred in *Eric Martin v Jason Kelly*, Docket No. 240196. 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 also DISMISSED as moot.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

JUN 27 2011

Date

Larry S. Royster
Chief Clerk