

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Shannon Lane Argue v Jerry-Ann Sherry**
Docket No. **305779**
L.C. No. **11-011611-AH**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.211(E)(2), orders:

On the Court's own motion, 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 an outstanding fee of \$375 in *Shannon Argue v Dept of Corrections*, Docket No. 267271. 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

OCT 21 2011

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk