

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Fabian Holt v State Appellate Defender Office**

Docket No. **308536**

L.C. No. **07-013348-FC**

William C. Whitbeck, Judge, acting under MCR 7.211(E)(2), orders:

On the Court's own motion, the February 16, 2012 order is VACATED.

The motion to waive fees pursuant to MCR 7.202(4) and MCR 7.206(D)(1)(d) is DENIED because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees.

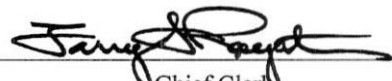
The Clerk's Office is directed to accept plaintiff's payment of \$17.80 as sufficient payment of an initial partial filing fee. See MCL 600.2963(7). Because plaintiff has manifested his intent to proceed with this original action by making that payment and refile his pleadings, monthly payments shall be made to the Department of Corrections in an amount of 50 percent of the deposits made to plaintiff's account until the payments equal the balance due of **\$357.20**. See MCL 600.2963(5). This amount shall then be remitted to this Court. Plaintiff may not file either a new civil appeal or an original action in this Court until plaintiff pays the entire outstanding balance due. MCL 600.2963(8).



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

MAR 28 2012

Date


Chief Clerk