

# Court of Appeals, State of Michigan

## ORDER

**In re Jones**

Docket No. **314398**

LC No. **2000-000617-FC**

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William B. Murphy, Chief Judge, acting under MCR 7.211(E)(2), orders:

On the Court's own motion, the original complaint for superintending control is DISMISSED because plaintiff filed the subject original complaint even though he owes an outstanding balance to this Court in *Jimmie Lee Jones Jr v Ryan Correctional Facility Warden*, Docket No. 312863. 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); *Keenan v Dep't of Corrections*, 466 Mich 204; 644 NW2d 756 (2002).

The motion to set aside prior debt of \$366.00 pursuant to MCR 2.002(D) is DENIED. This Court must apply MCL 600.2963(8) as interpreted in *Keenan* to preclude this case from proceeding where plaintiff presents no argument that doing so would be unconstitutional.

The motion to waive fees is DISMISSED as moot.



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

**MAR 11 2013**

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster".  
Chief Clerk